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**IN THE  
COURT OF APPEALS OF MARYLAND**

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September Term, 2006

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No. 44

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**FRANK M. CONAWAY, *et al.*,**

Appellants,

v.

**GITANJALI DEANE and LISA POLYAK, *et al.*,**

Appellees.

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On Appeal from the Circuit Court for Baltimore City  
(M. Brooke Murdock, Judge)  
Pursuant to a Writ of Certiorari to the Court of Special Appeals of Maryland

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**BRIEF OF AMICI CURIAE  
RELIGIOUS ORGANIZATIONS AND LEADERS**

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Lawrence P. Fletcher-Hill  
Gordon, Feinblatt, Rothman,  
Hoffberger & Hollander, LLC  
The Garrett Building  
233 East Redwood Street  
Baltimore, Maryland 21202  
410-576-4254  
410-576-4269 (fax)

Attorney for *Amici Curiae*  
Religious Organizations and Leaders  
(listed *infra* at Apx. 1-21)

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The *amici curiae* are forty-seven religious and other faith-based organizations and 107 religious leaders from a diverse range of faiths.<sup>1</sup> They support appellees in this action because they believe that appellees, as lesbians and gay men, have the same capacity to love, to form relationships, to commit to one another, and, if they desire, to nurture children, as do heterosexuals. The *amici* urge this Court to end the State of

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<sup>1</sup> The *amici* religious organizations are listed, with brief statements of interest, in the Appendix at Apx. 1-15. The *amici* religious leaders are listed in the Appendix at Apx 16-21.

Maryland's discrimination against appellees in denying them the ability to enter into marriages sanctioned by the State.

The *amici* strongly support the careful separation of church and state. The *amici* represent substantial segments of the religious community that support appellees in their committed relationships and that support appellees' demand for equal rights to civil marriage. *Amici*, however, do not ask this Court to accept or adopt their approval of appellees' same-sex relationships on religious grounds. Rather, the *amici* submit this brief to dispel any notion that the religious community speaks with one voice in support of the State's marriage discrimination against lesbians and gay men. They submit this brief to emphasize that this Court's ruling as a matter of civil rights will not, cannot, and should not decide any issue involving the religious institution of marriage for any particular religious organization. By steering clear of any religious rationale for or against Maryland's discriminatory statute, the Court will reinforce the proper separation of religious doctrine from civil law.

### **STATEMENT OF THE CASE**

The *amici* religious organizations and leaders adopt appellees' Statement of the Case.

### **QUESTIONS PRESENTED**

The *amici* religious organizations and leaders adopt appellees' Questions Presented.

## STATEMENT OF FACTS

The *amici* religious organizations and leaders adopt appellees' Statement of Facts.

## ARGUMENT

### **I. MARYLAND LAW OBSERVES A CRITICAL DISTINCTION BETWEEN THE CIVIL RIGHTS ASSOCIATED WITH A CIVIL MARRIAGE AND THE RELIGIOUS RECOGNITION OF MARRIAGE.**

The Maryland marriage statute reflects the important distinction between the purely civil relationship of marriage recognized and regulated by the State and the religious covenant sanctioned separately by organized faiths. As with the broader issue of the separation of church and state in Maryland, the dividing line has not always been bright, but it remains critical to the free exercise of religious beliefs.

Article 36 of the Maryland Declaration of Rights, adopted in 1867, contains the state constitutional guarantee of freedom of religious expression. Even before 1867, religious liberty was assured as a matter of Maryland constitutional law, although in significantly qualified form, in Article 33 of the Maryland Declaration of Rights adopted in 1776.<sup>2</sup> Article 36 does not contain (nor did Article 33 contain) an explicit protection against the government establishment of religion, but the Court of Appeals has recognized that the State's governmental powers are limited by the establishment clause

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<sup>2</sup> Article 36 (1867) provides, *inter alia*, that "all persons are equally entitled to protection in their religious liberty." Article 33 (1776) contained a similar phrase with one dramatic and now unacceptable limitation: "[A]ll persons, professing the Christian religion, are equally entitled to protection in their religious liberty."



of the First Amendment to the United States Constitution. *Barghout v. Mayor & City Council*, 325 Md. 311, 327-28, 600 A.2d 841, 849 (1992).

Maryland’s legal history reflects the fundamental principal of separating civil authority from religious authority. More than a century ago, the Court of Appeals observed in broad terms that, “previous to the Revolution, the Church of England was established and maintained by the government as a part of the public polity.” *Brayshaw v. Rideout*, 79 Md. 454, 459, 29 A. 515, 516 (1894) (quoting 1702 Act establishing church as a feature of any “well grounded Christian commonwealth[ ]”). The Court matter-of-factly noted that, “[w]hen independence was declared, it became necessary to readjust the relations between church and state.” *Id.* at 460, 29 A. at 517.<sup>3</sup> Maryland’s legal treatment of marriage shows similar “readjustments,” but a consistent recognition that what is considered a lawful marriage under civil law is not necessarily the same as what is approved by particular religious authorities.

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<sup>3</sup> This “readjustment” included the Vestry Act of 1798, described by the Court in *Brayshaw* as “such friendly legislation . . . as was thought necessary to preserve and protect [the] rights [of the renamed Protestant Episcopal Church in Maryland], and to promote its well-being.” *Id.* at 460, 29 A. at 517. Although the Court sought to avoid “those unhappy controversies among members of religious bodies which sometimes come before courts of justice,” *id.* at 458, 29 A. at 516 – declaring “that we have no power to decide any question of ‘doctrine, discipline, or worship,’ and that no one has a right to bring such a question before us,” *id.* – the Court nevertheless did not shy away from “inquir[ing] what powers and rights belong to the register of the parish when a member of the church applies to him for enrollment on the books of the parish,” *id.* at 462, 29 A. at 517. Because that power was deemed “merely mechanical and ministerial,” the Court had “no difficulty” bringing its civil mandamus authority to bear to compel the register to enroll the petitioner as a member of the parish. *Id.* at 463, 29 A. at 518.

Maryland law imposes a solemnization requirement that precludes the creation of common-law marriages in Maryland. *See John Crane, Inc. v. Puller*, 169 Md. App. 1, 54-79, 899 A.2d 879, 909-23 (tracing history of Maryland's rejection of common-law marriage, including *Denison v. Denison*, 35 Md. 361 (1872), and *Feehley v. Feehley*, 129 Md. 565, 99 A. 663 (1916), but holding that common-law marriage arising in District of Columbia supported loss of consortium claim in Maryland tort case), *cert. denied*, 2006 Md. LEXIS 650 (2006). That solemnization *may* occur in a religious ceremony, but a religious ceremony is no longer required. It may now occur in a purely secular ceremony performed by a circuit court clerk, a deputy clerk designated by the county administrative judge of the circuit court, or a judge. Md. Code Ann., Fam. Law § 2-406(a)(2) (2006 Repl. Vol.).

The statutory inclusion of judicial officers with religious officials among those permitted to perform marriage ceremonies in Maryland is relatively recent. The first secular officials – circuit court clerks and designated deputy clerks – were not added to the statute until 1963. 1963 Md. Laws ch. 406 (amending Md. Ann. Code art. 62, § 3A, now codified at Md. Code Ann., Fam. Law § 2-406(a)(2)). Not until 2002 were judges given authority to perform marriage ceremonies. 2002 Md. Laws ch. 207. This was not the first time, however, that the purely secular formalization of marriages was recognized in Maryland. In the late nineteenth century, this Court observed:

[T]here never has been a time in the history of the State, whether before its independence of Great Britain or since, when some ceremony or celebration was not deemed

necessary to a valid marriage. In the early days of the province it was not absolutely necessary that a minister of religion should officiate, – a judge or a magistrate could perform the ceremony, – but still, in all cases, some formal celebration was required.

*Denison*, 35 Md. at 379. Although this Court concluded in *Denison* that, “[t]o constitute lawful marriage here there must be superadded to the civil contract, some religious ceremony,” *id.* at 380, the marriage statute now makes plain that the ceremonial element need not be religious in nature. See *John Crane, Inc.*, 169 Md. App. at 57-58, 899 A.2d at 910-11 (exclusive requirement of religious ceremony is “outdated” in light of statutory amendments to permit court clerks and judges to perform marriage ceremonies).

Even during the period when Maryland law required some form of religious ceremony to solemnize a marriage, the law still distinguished between the civil recognition and regulation of marriage and any religious sanction of particular marriages. In 1944, this Court observed that “[i]n Maryland the marriage institution is treated as sacred and must be by a religious ceremony; such is the public policy of the State, as declared by its Legislature by Statute.” *State v. Clay*, 182 Md. 639, 642, 35 A.2d 821, 822 (1944). Contemporaneous with this statement, however, the Court acknowledged the civil-religious duality of marriage: “It is well known that marriage, while from its very nature a sacred obligation, is nevertheless a civil contract and is regulated by law.”

*Hopkins v. State*, 193 Md. 489, 496, 69 A.2d 456, 459 (1949).<sup>4</sup> This same separation existed in the marriage statute itself even before judicial officers were authorized to perform marriage ceremonies. In 1941, when those permitted to officiate were still limited to religious officials, the statute was amended to provide that “[n]othing in this section shall be construed as interfering in any way with the right of any particular religious denomination to join persons in marriage according to the rules and customs of said denomination . . . .” 1941 Md. Laws ch. 14, § 1 (amending Md. Ann. Code Art. 62, § 4). The marriage statute still features a variation of this provision.<sup>5</sup>

*Feehley v. Feehley* illustrates the separation of civil and religious recognition and regulation of marriage in Maryland. The Feehleys were both Catholics. 129 Md. at 567, 99 A. at 664. They had married, had a daughter, and were divorced in the late nineteenth century. *Id.* Both had subsequent marriages that also ended in divorce. *Id.* In 1915, the

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<sup>4</sup> Both *Clay* and *Hopkins* arose from legislative efforts “to curb the marriage racket,” which had “developed a commercial aspect,” particularly in Cecil County. *Clay*, 182 Md. at 642-44, 35 A.2d at 823. As those cases show, if the legislative aim in reserving the solemnization function to clergy was to elevate marriage ceremonies to higher levels, the rule seems rather to have had a de-basing effect on some clergy. The “marriage racket” had produced “so-called ministers of the gospel who were not as ethical as they could have been.” *Clay*, 182 Md. at 642-44, 35 A.2d at 823. *See also Hopkins v. State*, 193 Md. 489, 497, 69 A.2d 456, 459 (1949) (affirming conviction of Elkton minister for violating statute prohibiting advertising in connection with performance of marriages, which was deemed “not compatible with the ministerial calling and not practiced by any respectable minister”).

<sup>5</sup> The statute now provides: “This section does not affect the right of any religious denomination to perform a marriage ceremony in accordance with the rules and customs of the denomination.” Md. Code Ann., Fam. Law § 2-406(g).

Feehleys reunited, but Mary Feehley then sued for divorce, including an award of alimony and division of property, barely a year later. *Id.* The issue was whether the Feehleys had been lawfully remarried despite the lack of a civil marriage license and disputes over the nature of a home ceremony performed by their parish priest. The priest, following Catholic doctrine, testified “that he could not re-marry the parties because the church does not recognize a divorce, and therefore the first marriage, which was solemnized in the church, was to be regarded as being still in force” and that the ceremony was only “a blessing upon their agreement to resume the relations of matrimony.” *Id.* From a civil perspective, the Court obviously could not subscribe to this religious doctrine, both because of the separation of church and state and because to do so would nullify the Feehleys’ respective intervening marriages and divorces, as well as countless civil divorces of Catholics in Maryland. The Court, however, was faced with “the settled law of this State that ‘some religious ceremony’ must be ‘superadded to the civil contract’ in order that a marriage may be valid.” *Id.* at 568, 99 A. at 664 (quoting *Denison*, 35 Md. at 361). Moreover, the one purely civil element – obtaining a marriage license – was lacking.

The Court neatly solved this problem. Without subscribing to the priest’s own definition of the ceremony he performed, the Court noted that it clearly was both ceremonial and religious in nature. *Id.* In addition, “[i]t was unquestionably intended to be an essential feature of the new marital agreement into which the parties were entering,” and “[t]he sole purpose of [the priest’s] presence and ministration was to give

religious sanction to their re-union.” *Id.* The Court overcame the license omission by noting that a license would not have been required at common law and that the statute should not be construed as nullifying otherwise valid marriages, based on “the important considerations of morality and legitimacy” involved. *Id.* at 569, 99 A. at 665. In the eyes of the civil law, the Feehleys thus were successfully remarried and just as successfully re-divorced, notwithstanding the fact that the Catholic church on religious grounds would not recognize their second civil marriage as a new marriage, their intervening marriages at all, or their ultimate divorce.

*Feehley* provides just one example of the instances in which the civil and religious regulation of marriage are and must remain distinct. As a matter of religious doctrine, some faiths may decline to accept or even condemn certain marriages that Maryland law permits. Perhaps most obviously, some faith communities will not give religious recognition to a member of that community who marries a spouse of another faith, yet such interfaith marriages are perfectly legal as a matter of civil law.<sup>6</sup> Conversely, the state may sometimes prohibit a marriage that is acceptable within a particular faith community. Indeed, even as they advocate here for an end to Maryland’s marriage

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<sup>6</sup> As an example, the Jewish Community Relations Council of Greater Washington has observed that “many rabbis will not preside over the religious marriage of interfaith couples, yet civil marriages of interfaith couples routinely are licensed by the government; on the other hand, Jewish clergy affiliated with some branches of Judaism regularly consecrate committed same sex relationships that currently are denied civil recognition. Like most faith communities, the Jewish community does not look to civil authorities to determine what relationships merit sanctification under Jewish tradition.” Apx. 29.

discrimination against same-sex couples, many of the *amici* are working within their own faiths to try to bring official religious approval to marriages between spouses of the same sex, and in fact some have done so successfully. The two efforts, however, are and should be separate, and *amici* here emphasize the importance of that separation.

The Becket Fund for Religious Liberty, which seeks to participate as an *amicus curiae* in support of appellants, raises the specter that religious institutions that wish to discriminate against same-sex couples in marriage as a matter of religious doctrine will be exposed to “an unprecedented level of legal confusion and corresponding litigation in public accommodation law, employment law, and over government funding” if this Court rules that Maryland cannot deny same-sex couples the same access to civil marriage as heterosexual couples enjoy. Brief *Amicus Curiae* of the Becket Fund for Religious Liberty at 7 (filed September 5, 2006). This is an unsupported diversion. The extent to which any religious institution is subject to state regulation as an employer or as a public accommodation is determined by existing statutes and case law in those areas. Nothing in this case will result in an expansion or contraction of those principles, and this case therefore will not result in exposing any religious institution to, or shielding one from, any regulation to which it is now subject.

Maryland already prohibits discrimination based on sex, sexual orientation, or marital status in public accommodations, Md. Ann. Code Art. 49B, § 5, in employment, *id.* § 16, and in housing, *id.* §§ 22-23. Maryland also already has certain exemptions to these prohibitions. For example, the prohibition against employment discrimination does

not apply to “[a] religious corporation, association, educational institution or society with respect to the employment of individuals of a particular religion or sexual orientation to perform work connected with the carrying on by such corporation, association, educational institution or society of its activities.” *Id.* § 18(2). With respect to housing discrimination, sex, sexual orientation, and marital status are specifically carved out of the prohibition with respect to the rental of rooms or apartments in owner-occupied buildings up to five units. *Id.* § 21(a)(2). And the prohibition of discrimination in public accommodations does not apply either “to a private club or other establishment not in fact open to the public” or to “facilities which are uniquely private and personal in nature, designed to accommodate only a particular sex.” *Id.* § 5(f) and (g). Particular organizations in Maryland may or may not be satisfied with these prohibitions and the exceptions to them, but this Court’s ruling in this action will not change these statutes or any rules and interpretations that have grown up around them.

For many people, creation of the legal marital relationship coincides with a commitment carrying the blessing of an organized religious body, but the two remain separate. This case deals only with the state-sanctioned legal relationship, and *amici* fully support keeping that civil status distinct from any religious covenant.



## **II. MANY RELIGIOUS ORGANIZATIONS AND LEADERS WELCOME AND SUPPORT SAME-SEX COUPLES IN THEIR RELIGIOUS COMMUNITIES.**

Too often, the deep traditions of religion are invoked selectively as support for the narrow policy objectives of a particular segment of the populace. *Amici* here resist this temptation and have no desire to impose their spiritual beliefs on this Court. They state some of those beliefs here, however, to counter any notion that any segment of the religious community can lay claim to divine authority as a basis to reserve the civil relationship of marriage exclusively for heterosexual couples. *Amici* represent serious and substantial segments of virtually every mainline Christian denomination in Maryland and of the Jewish community in Maryland.

Many of the individual *amici* are among the 112 Christian clergy in Maryland who have subscribed to a Statement of Equal Access to Marriage. *See* Apx. 22-28. Those clergy “are alarmed by the inflammatory, misleading, and discriminatory rhetoric of some Christian ministers who would have their voice be perceived as speaking for all Christians in advocating for the denial of equal civil rights for gay and lesbian couples in Maryland.” Apx. 22. Rejecting “the exploitation of selected verses of the Bible to declare same-gender sexual expression to be per se sinful,” these clergy affirm the belief “that both heterosexual and homosexual relations are capable of being sinful and of being faithful.” *Id.* They know this because they know “many gay, lesbian, bisexual, and transgendered people” who are among “the most faithful and dedicated Christians within our communities” and who have struggled to create and sustain the same sort of

committed human relationships as heterosexual couples. *Id.* These ministers “adhere to a strict separation of church and state,” and they recognize that, if the religious doctrine of some is used to justify discrimination in access to the relationship civil marriage, then the government is not protecting the free exercise of religion by all. Apx. 22-23. The roster of signers of this Statement includes ministers of Presbyterian, Episcopal, Lutheran, United Church of Christ, Methodist, American Baptist, and Metropolitan Community Church congregations. Apx. 24-28.

The Jewish Community Relations Council of Greater Washington, which represents 210 Jewish organizations and synagogues throughout Maryland, Virginia, and the District of Columbia, has directly rejected “the assertion that civil recognition of committed same sex relationships threatens ‘sacred’ traditions.” *See* “Statement on Full Civil Equality for Same Sex Couples” (Apx. 29-30). The assertion itself “obliterates the critical separation of church and state” and “necessarily constitutes an effort to impose religious views on the general population,” thereby raising “the most serious of First Amendment concerns.” *Id.* Acting on the fundamental principle that “civil recognition of committed relationships is different from the sanctification of religious marriage,” the JCRC “strongly affirms the right of faith communities to prescribe their own standards for recognizing religious marriage,” while also urging that “[c]ommitted same sex relationships promote family and social stability, and are no less deserving of full recognition under civil law than the committed relationship of a man and woman.” Apx. 30.

The Religious Society of Friends has been very clear on this subject, and the national American Friends Service Committee joins as an *amicus* on this brief. In 2004, the Executive Committee of the AFSC Board of Directors, acting at the direction of the full board, approved a “minute” – the Quaker term for a formal communication from a group within the larger Society – setting forth its “support for equal civil marriage rights for lesbian, gay, bisexual, and transgender people.” Apx. 31. Noting that some advocate civil unions for same-sex couples, while reserving civil marriage for heterosexual couples, the Executive Committee disagreed: “It is our belief that government sanction should be applied equally. All couples should be granted civil union licenses or all should be granted marriage licenses.” *Id.* Like *amici* here, the AFSC Executive Committee was “careful to distinguish between civil law, in which no single religious view should predominate, and the right of various faith traditions, denominations, and congregations to decide for themselves whether they will perform, support, or recognize [same-sex] marriages.” *Id.*<sup>7</sup>

Almost ten years ago, in 1996, the Unitarian Universalist Association resolved formally to support equal marriage rights as a matter of “immediate witness” expressly providing that clergy and congregations may celebrate religious unions of same-sex couples. The Unitarian Universalist General Assembly adopted this position based on

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<sup>7</sup> See “Minute on Civil Marriage,” available at <http://www.afsc.org/lgbt/civil-marriage.htm> (last viewed October 19, 2006) (Apx. 31-32).

“the inherent worth and dignity of every person” and “[b]ecause marriage is held in honor among the blessings of life.” Apx. 33. It felt compelled to act even more explicitly than it had in the past because the debate over same-sex marriage “has focused on the objections of certain religious communities” opposed to equal access to marriage. *Id.* In 2004, the Association further affirmed that “Civil Marriage is a Civil Right” in opposing any amendment of the United States Constitution to bar same-sex marriages. Apx. 35. The Unitarian Universalists have more than 1,000 congregations in North America, and the national Unitarian Universalist Association of Congregations, as well as numerous Unitarian congregations and clergy in Maryland are *amici* joining this brief.<sup>8</sup>

By a 2005 resolution, the national body of the United Church of Christ, its General Synod, “affirms equal marriage rights for couples regardless of gender and declares that the government should not interfere with couples regardless of gender who choose to marry and share fully and equally in the rights, responsibilities and commitment of legally recognized marriage.” Apx. 42. Echoing the proper separation of church and state on this issue, the General Synod concluded that “theologically and biblically, there is neither justification for denying any couple, regardless of gender, the blessings of the

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<sup>8</sup> See “Support of the Right to Marry for Same-Sex Couples, 1996 Resolution of Immediate Witness,” available at <http://www.uua.org/actions/immediate/96same-sex.html> (Apx. 33-34); “Oppose Federal Marriage Amendment, 2004 Action of Immediate Witness,” available at <http://www.uua.org/actions/immediate/04marriage.html> (Apx. 35-36); see also <http://www.uua.org/news/2004/freedomtomarry> (summary of historical UUA actions on marriage equality) (all last viewed October 19, 2006).

church nor for denying equal protection under the law in the granting of a civil marriage license, recognized and respected by all civil entities.” Apx. 41. The UCC General Synod recognized that “equal marriage rights for couples regardless of gender is an issue deserving of serious, faithful discussion by people of faith, taking into consideration the long, complex history of marriage and family life, layered as it is with cultural practices, economic realities, political dynamics, religious history and biblical interpretation.” Apx. 41-42. The UCC has 1.3 million members across the country in 6,000 local congregations. The Central Atlantic Conference of the United Church of Christ, as well as a number of UCC clergy in Maryland, are *amici* joining this brief.<sup>9</sup>

Virtually every mainline Christian denomination now includes a growing internal movement to recognize the opportunity of all persons, regardless of sexual orientation, to participate fully on the basis of faith in the life of the denomination. Advocacy of equal rights to join in civil marriage frequently is a central part of those movements. Several of the *amici*, for example, are congregations and ministers in the Presbyterian Church (USA) working to bring down that denomination’s barriers to the full participation of gays and lesbians as clergy through both the More Light Presbyterians movement and a

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<sup>9</sup> See “In Support of Equal Marriage Rights for All,” adopted by the Twenty-Fifth General Synod of the United Church of Christ (*available at* <http://www.ucc.org/synod/resolutions/gsrev25-7.pdf> (last viewed October 19, 2006) (Apx. 39-43). The UCC is a decentralized denomination in which individual congregations maintain significant autonomy. The national bodies, such as the General Synod, adopt positions for consideration by the local congregations.

national organization, That All May Freely Serve, that has a strong chapter based in Baltimore. A similar group, the Alliance of Baptists “supports the rights of all citizens to full marriage equality, and . . . affirm[s] anew that the Alliance will ‘create places of refuge and renewal for those who are ignored by the church.’” Apx. 44.<sup>10</sup> The Reconciling Ministries Network is “a national grassroots organization that exists to enable full participation of people of all sexual orientations and gender identities in the life of the United Methodist Church, both in policy and practice.” Apx. 45.<sup>11</sup>

In 2005, the Episcopal Diocese of Maryland adopted a series of four resolutions opposing federal or Maryland constitutional amendments to prohibit same-sex marriages or unions, supporting legislative measures to extend key civil benefits to same-sex couples, opposing discrimination on the basis of sexual orientation, and calling for creation of a task force to study issues of marriage, unions, and civil rights. The Episcopal Diocese opposed constitutional amendments to ban same-sex marriage because

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<sup>10</sup> Alliance of Baptists Statement on Same Sex Marriage (April 17, 2004), *available at* <http://www.allianceofbaptists.org/sssm-2004.htm> (last viewed October 19, 2006) (Apx. 44). The Alliance is a national organization of individuals and churches “dedicated to the preservation of historic Baptist principles, freedoms, and traditions,” and it currently lists twelve participating congregations in Maryland. In the Statement, the Alliance affirms “that our federal and state constitutions exist to protect the rights of minorities from the tyranny of the majority” and “lament[s] the denigration of our gay, lesbian, bisexual, and transgender sisters and brothers in this debate by those who claim to speak for God.” Apx. 44.

<sup>11</sup> See <http://www.rmnetwork.org> (mission statement) (last viewed October 19, 2006) (Apx. 45-46).

they “would create new discriminatory barriers to gay and lesbian persons” and “would obstruct the progress being made by some jurisdictions where new understandings of civil marriage are evolving.” Apx. 47.<sup>12</sup> *Amici* do not suggest that the Episcopal Diocese has adopted a unified, doctrinal position in support of plaintiffs’ civil rights claims. Still, these resolutions reflect the dynamic state of thinking in many denominations as people of faith examine how their beliefs guide them in thinking about these significant issues of civil law and religious doctrine.

*Amici* and religious organizations supporting the marriage rights of same-sex couples are by no means limited to Christian faith communities. The *amici* here include Jewish congregations and a number of rabbis and other Jewish leaders. At its 1997 General Assembly, the Union of American Hebrew Congregations (now the Union for Reform Judaism), the organization of Reform Jewish congregations in the United States, resolved to “[s]upport secular efforts to promote legislation which would provide through civil marriage equal opportunity for gay men and lesbians.” Apx. 54. As part of the foundation for this resolution, the UAHC recognized that, “[n]o less than heterosexual couples, gay men or lesbians living in monogamous domestic relationships have demonstrated, like their counterparts, love for one another, compassion for the sick, and

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<sup>12</sup> Links to each of the resolutions are available at [http://www.ang-md.org/2005\\_index.php](http://www.ang-md.org/2005_index.php) (last viewed October 19, 2006) (Resolutions 2005-2 through 2005-5) (Apx. 47-52).

grief for the dead.” Apx. 53.<sup>13</sup> The 1997 resolution also built on a 1996 resolution of the Central Conference of American Rabbis “support[ing] the right of gay and lesbian couples to share fully and equally in the rights of civil marriage.” Apx. 55.<sup>14</sup>

The Social Action Committee of the Congress of Secular Jewish Organizations strongly “affirms its support for legal recognition of same-sex marriages” and “an end of all forms of discrimination based on sexual orientation or gender identity.” Apx. 56. That Jewish organization finds particular “solidarity” with gay men and lesbians on this issue “based on our own long historical experience as abused outsiders.” *Id.* The Committee rejects “the hypocrisy of religiously-based opposition to same-sex marriages,” emphasizing both “the [religious] teachings of tolerance and acceptance” and the paramount importance of constitutional principles in deciding the issue as a matter of civil law. *Id.*<sup>15</sup>

These diverse religious groups are by no means unanimous in their positions of these issues, but a consistent, strong theme is their affirmation of the value and dignity of

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<sup>13</sup> See “Civil Marriage for Gay and Lesbian Jewish Couples,” *available at* [www.urj.us/.dallas/areso/civilmar.html](http://www.urj.us/.dallas/areso/civilmar.html) (last viewed October 19, 2006) (Apx. 53-54).

<sup>14</sup> See “On Gay and Lesbian Marriage” (March 1996), *available at* <http://data.ccarnet.org/cgi-bin/resodisp.pl?file=gl&year=1996> (last viewed October 19, 2006) (Apx. 55). The CCAR recognized this “as a matter of civil law, . . . separate from the question of rabbinic officiation at such marriages.

<sup>15</sup> See “Social Action Resolutions: Same-Sex Marriages” (2005), *available at* <http://www.csjo.org/pages/socialaction/samesex.htm> (last viewed October 19, 2006) (Apx. 56).



all people before God and of the potential for all people to form committed, loving partnerships. Although progress toward doctrinal recognition of same-sex unions in these various religious groups varies, there is widespread support for equal access to marriage as a matter of civil right separate from religious recognition of same-sex marriages. The government should not reflect the religious doctrine of any group. By opening civil marriage equally to both heterosexual and lesbian or gay couples, this Court will ensure that civil law neither favors nor disfavors any particular religious viewpoint, and it will leave individual faith communities free to determine for themselves whether or not to add religious sanction to particular unions.

## CONCLUSION

*Amici* are particularly concerned that the Court not act on the basis that any particular religious group – now or in the past – has condemned same-sex marriage. *Amici* urge this Court to listen to them not because they hope that the Court will embrace their religious views. Rather, *amici* urge that civil marriage in Maryland – separate from any religious recognition of any relationship – must be made equally available to all persons of all sexual orientations.

Respectfully submitted,

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Lawrence P. Fletcher-Hill  
Gordon, Feinblatt, Rothman,  
Hoffberger & Hollander, LLC  
The Garrett Building  
233 East Redwood Street  
Baltimore, Maryland 21202  
Tel: 410-576-4254  
Fax: 410-576-4269

Attorney for Amici Curiae  
Religious Organizations and Leaders

This brief was prepared in 13-point Times New Roman font.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25th day of October, 2006, copies (two copies each) of this corrected brief were served by first-class mail, postage prepaid, to:

Andrew H. Baida, Esquire  
Rosenberg Martin Funk Greenberg, LLP  
25 South Charles Street, Suite 2115  
Baltimore, MD 21201

J. Joseph Curran, Jr., Attorney General  
Margaret Ann Nolan, Assistant Attorney General  
Steven M. Sullivan, Assistant Attorney General  
200 Saint Paul Place, 20th Floor  
Baltimore, MD 21202

I further certify that copies of the original brief were served on the same counsel by first-class mail on October 19, 2006.

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Lawrence P. Fletcher-Hill

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## ***AMICI CURIAE RELIGIOUS ORGANIZATIONS***

### **Adelphi Friends Meeting**

Religious Society of Friends (Quakers)

Adelphi, Maryland 20783

On May 12, 1991, Adelphi Friends Meeting adopted a minute concerning Same Gender Marriage that states in part:

“Our understanding of the spirit of Christ as reflected in the Gospels, leads us to affirm one another and our loving responsible relationships. To do so strengthens our community, opens us to the full richness of the diverse loving relationships in our Meeting, and gives the persons in such relationships the support of a loving community.

We accept and appreciate diversity in our community and welcome all who share our search for Truth. Just as marriage between a man and woman may provide nurture to both the couple and the Meeting, committed same-gender relationships may also be a source of spiritual growth. We recognize the Light in all sincere, loving, supportive relationships, which are characterized by growth and in which faith, hope, love and truth abide.”

### **Affirmation: Gay and Lesbian Mormons**

14136 Whispering Pines Court, #24

Silver Spring, Maryland

Affirmation: Gay and Lesbian Mormons is a non-profit organization composed of gay, lesbian, bisexual, transgendered, and intersexed Mormons and their supportive families and friends throughout the State of Maryland and elsewhere. Through our local chapters and our world-wide organization, Affirmation seeks to enlighten minds, to remove spiritual, social, and legal barriers to full acceptance and equality, and to affirm the importance of all loving families. Believing that a loving and perfect God created us each with a unique combination of talents and characteristics, and heeding the scriptural admonitions that we should strive to love one another as He has loved us, we support the granting of marriage licenses to same-sex couples as the morally and legally correct action in the best interest of all citizens of Maryland.

### **The American Catholic Church in the United States**

National Offices

5595 Rivendell Place

Frederick, Maryland 21703

The American Catholic Church in the United States (ACCUS) supports the equal rights of all people, whether they be heterosexual or homosexual. All committed partnerships deserve total equal rights. This equality also extends to their dependents.

**American Friends Service Committee**  
National and International Headquarters  
1501 Cherry Street  
Philadelphia, Pennsylvania 19102

American Friends Service Committee  
Middle Atlantic Region  
4806 York Road  
Baltimore, Maryland 21212

In June 1976, the Board of Directors of the American Friends Service Committee (AFSC), a national organization founded by the Religious Society of Friends (Quakers), issued a public statement affirming the AFSC's support of the human and civil rights of homosexual and bisexual persons. To further this concern, the AFSC included lesbians, bisexuals, and gay men as protected groups in its affirmative action plan and created programs to serve them. Although the AFSC Board condemns the use of Christianity as a basis for the denial of basic civil rights to lesbians, gay men, bisexuals, and transgendered persons, it affirms the separation of church and state in the issue of same gender marriage.

One of AFSC's 9 regional offices has its headquarters in Baltimore, Maryland, and Maryland programs also affirm the Board's decision that civil marriage rights should be accorded to all, whether same gender or opposite gender couples. Members of the AFSC staff in Maryland and members of its volunteer committees recognize that they and hundreds of program recipients will be greatly affected by the Court's decision and declare unequivocally that they support the arguments of the *amici* as affirmation of the AFSC's position on the inclusion of all persons equally in civic affairs.

**Augustana Lutheran Church**  
2100 New Hampshire Avenue, NW  
Washington, D.C. 20009

Founded in 1918 by Swedish immigrants, Augustana Lutheran Church is a member congregation of the Evangelical Lutheran Church of America, in the Metropolitan Washington, D.C. Synod. Augustana's members are found throughout the metropolitan area, living and working in Washington, D.C., Virginia and Maryland. Our diverse congregation reflects the communities in which we live and serve. Augustana is a congregation "Reconciled in Christ" that has been racially diverse since 1954.

Our church strives to empower all people, to advocate justice, and to work for peace in society. In faithfulness to its calling, Augustana is committed to defend and respect human dignity, regardless of age, race, gender, sexual orientation, or marital status. We believe that we are all children of God, created in his image, and that all humans were created equal. Denying gay people the right to marry is a denial of basic civil rights. It is in grateful response to God's grace in Jesus Christ that this church carries out its responsibility to stand up for the basic civil rights of not only our members but to the greater society. Following in Augustana's history of accepting all people, we fully support the plaintiffs as *amicus curiae* and must insist on and wholly support full civil marriage rights for same gender couples.

**The Baltimore Ethical Society**

309 West Franklin Street  
Baltimore, Maryland 21201

The Baltimore Ethical Society is a humanistic religious and educational fellowship that has served families in and around Baltimore for more than 50 years. Our participation as *amicus curiae* in this action is consistent with our commitment to social and economic justice and our desire to work for a more moral, humane, and cheerful future for ourselves and our children.

**Believers Covenant Fellowship**

P.O. Box 10623  
McLean, Virginia 22102

Believers Covenant Fellowship is a non-denominational, Christian, open and affirming congregation incorporated in the State of Maryland and located in McLean, Virginia. We do not believe that the granting of a marriage license or civil union to gay or lesbian couples would in ANY WAY harm or hinder the working of the Church, the State or the traditional family. In fact, we strongly adhere to the principle of separation of church and state, and wholeheartedly believe that our rights as American citizens are based upon the Constitution of the United States and the Bill of Rights, NOT upon religious texts of the Bible, the Quran, or any other religious text. Therefore, we do not believe that any religious organization should have the power or the right to enforce its interpretation of religious texts on any other person or group. We especially defend all Americans' protected and respected rights to pursue life, liberty and happiness as they see best for their lives.

**Bethesda United Church of Christ**

10010 Fernwood Road  
Bethesda, Maryland 20817

Bethesda United Church of Christ is proud to join as an *amicus curiae* in this case. BUCC has made a solemn commitment to being a welcoming and inclusive congregation. Our members, like the members of any church, hold a range of opinions on many issues of faith and conscience. As a congregation we support full equality for people of all sexual orientations, including the right of same sex couples to be legally married. In 2002, we voted to become an open and affirming congregation, which for us means that we celebrate the wide range of gifts found in a diverse community and affirm the dignity and worth of each person as created in the image of God. Therefore, we welcome people of every race, language, age, gender, ethnicity, economic status, mental or physical ability, and sexual orientation into the full life and ministry of the church.

**Bolton Street Synagogue**  
212 W. Cold Spring Lane  
Baltimore, Maryland 21210

Bolton Street Synagogue is an open Jewish community rooted in tradition. We are dedicated to fostering Jewish culture, learning and prayer in a participatory and intimate environment.

The Bolton Street Synagogue community believes that its success has been influenced by certain basic principles or core values. Core values serve as the foundation upon which the synagogue operates and outline the framework upon which Bolton Street will meet the needs of its congregation. We warmly welcome all, including interfaith couples and families, and lesbian, gay, transsexual or transgender individuals and families.

We are committed to celebrating, supporting and providing Jewish life-cycle rituals for lesbian, gay, bisexual, transsexual, or transgender members and those with strong ties to Bolton Street Synagogue, including same-sex commitment ceremonies (and weddings, if/when they become legalized). A couple may choose to have their commitment ceremony in the sanctuary and to have the ceremony officiated by the Bolton Street Synagogue rabbi.

As our Rabbi, Jonathan Panitz, has stated: “Same sex unions should be allowed to enjoy all the rights and obligations that are incumbent upon any other form of marriage now currently recognized as valid and binding by the laws of the State of Maryland. Furthermore, any effort to embody in civil law a view based on religious beliefs would raise the most serious First Amendment issues.”

**Brown Memorial Park Avenue Presbyterian Church**  
1316 Park Avenue  
Baltimore, Maryland 21217

The Session of Brown Memorial Park Avenue Presbyterian Church (“BMPA”) voted unanimously to join as *amicus curiae* in support of plaintiffs in this action. BMPA seeks to be a fully inclusive church, welcoming all persons to participate in the life of the church. Specific to gay and lesbian persons, BMPA expresses its commitment to equality and inclusion through its status as a More Light church and a covenanting member of That All May Freely Serve: Baltimore.

BMPA believes that the State of Maryland has no compelling interest to restrict marriage to opposite-sex couples, denying committed gay and lesbian couples all of the rights, benefits, and responsibilities of marriage. In support of equality for gay and lesbian persons, BMPA believes that access to such rights and responsibilities encourages long-term committed relationships and provides stability for the families of these committed individuals.

### **Central Atlantic Conference of the United Church of Christ**

Rev. Dr. John R. Deckenback, Conference Minister  
916 South Rolling Road  
Baltimore, Maryland 21228

In 2005, the Twenty-Fifth General Synod of the United Church of Christ adopted the resolution “In Support of Equal Marriage Rights for All.” By this resolution, the national body of the UCC “affirms equal marriage rights for couples regardless of gender and declares that the government should not interfere with couples regardless of gender who choose to marry and share fully and equally in the rights, responsibilities and commitment of legally recognized marriage.” Echoing the proper separation of church and state on this issue, the General Synod concluded that “theologically and biblically, there is neither justification for denying any couple, regardless of gender, the blessings of the church nor for denying equal protection under the law in the granting of a civil marriage license, recognized and respected by all civil entities.” The Central Atlantic Conference of the UCC, which includes Maryland, has supported this resolution and position both before and since it was adopted by the General Synod of the UCC.

### **Central Conference of American Rabbis**

355 Lexington Avenue  
New York, New York 10017

The Central Conference of American Rabbis was founded in 1889. Its members are the body of rabbis who consider themselves and are considered to be the organized rabbinate of Reform Judaism. It includes a substantial number of rabbis in Maryland.

### **Chesapeake Bay Unitarian Universalist Association of Ministers**

Barbara Wells ten Hove, President

The Chesapeake Bay Unitarian Universalist Association of Ministers includes all of the ministers in Unitarian Universalist churches in Maryland as well as those in the District of Columbia and Northern Virginia. We have all grieved with gay and lesbian members of our churches who have loved and supported one another, often for many years, but who are denied the dignity and the protection of the civil marriage laws in the State of Maryland. Our faith and our churches are firmly committed to the separation of church and to the rights of all people to the equal protection of the state.

### **Christ the Servant Lutheran Church**

P.O. Box 2188  
Montgomery Village, Maryland



**Congregation Beit Tikvah**

Jewish Reconstructionist Federation  
5802 Roland Avenue  
Baltimore, Maryland 21210

Beit Tikvah decided as a Congregation to be a Kehilah Mekabelet, to pro-actively support and embrace and reach out to folks who have been excluded or marginalized elsewhere because of their sexual orientation. Joining as an *amicus curiae* in this case is an action required by our previous decision to be a Kehilah Mekabelet. Also, as a social justice issue, it is morally wrong to deny the practical and fiduciary and legal benefits which marriage confers to some people who wish to marry while granting them to others.

**Dignity/Washington**

721 8th Street, SE  
Washington, D.C.

Dignity/Washington is a Washington, D.C. metropolitan area community of Gay, Lesbian, Bisexual and Transgendered Roman Catholics and other Christians, our family and friends, founded in 1972. We provide a healing outreach to Gay, Lesbian, Bisexual, & Transgendered Catholics and other people by affirmation that they are beloved Children of God. We gather together to establish a nurturing community of worship, blessing, celebration, ministry, spiritual development, education, and fellowship. We are a prophetic witness to the Church; to the Gay, Lesbian, Bisexual & Transgendered community; and to society. Churches confuse marriage as a civil right and marriage as a sacrament. Churches should be free to confer the sacramentary quality, or not. The state should be free to confer the civil right of marriage, without interference by churches. We believe that the State of Maryland should grant the civil right of marriage to same-sex couples.

**Faith Presbyterian Church**

5400 Loch Raven Boulevard  
Baltimore, Maryland 21239

The vision statement of Faith Presbyterian Church states, “We are committed to a circle that is wide and unbroken and declare that all who desire to join with us will be welcomed and respected.” Because of this commitment to the worth and dignity of every person, we enjoy an inclusive faith community that benefits from the spiritual gifts and full participation of persons of wide diversity. Amongst our gay and lesbian members are couples that are in committed relationships with life-long intent, and the Session of the church believes that, as a matter of full equality and social justice, they and other same-gender couples should have access to the legality of civil marriage, with all its attendant responsibilities and privileges. We believe that first of all marriage is a civil issue. The choice by a minister or religious community of whether or not to recognize and bless such unions is a separate matter and should not negate the availability to gay and lesbian couples of civil marriage, with all the legal rights and options heterosexual couples have.

### **The First and Franklin Street Presbyterian Church**

210 West Madison Street  
Baltimore, Maryland 21201

The First and Franklin Street Presbyterian Church of Baltimore, Maryland was founded in 1761 and has a proud tradition of endeavoring to extend the grace of God to all persons. For the past 25 years, First and Franklin Street has worked actively for the full inclusion of lesbian, gay, bisexual, and transgender persons in society and the church. The Session of the church regularly authorizes the celebration of Holy Unions between same-gender couples who desire to make their commitment to one another before God. We support full civil marriage rights for same-gender couples.

### **First and St. Stephen's United Church of Christ**

6915 York Road  
Baltimore, Maryland 21212

First and St. Stephen's United Church of Christ is an "open and affirming" congregation in the United Church of Christ that welcomes all persons to full participation in the life of the congregation regardless of sexual orientation, age, race, national origin, gender, physical or mental abilities. Further it seeks to be a congregation calling for justice by our actions and witness in the world, which includes equal access to marriage for all persons. We actively look forward to the day that all the marriages that are officiated in our congregation are also recognized by the State, including the marriages of same-sex couples. We look forward to the time that all couples, same-sex and non same-sex, have the same privileges, responsibilities and opportunities to provide for their families as their covenanted relationships are recognized equally by the State.

### **First Unitarian Church of Baltimore**

1 W. Hamilton Street  
Baltimore, Maryland 21201

The First Unitarian Church of Baltimore is a Welcoming Congregation, supporting the rights and dignity of all persons regardless of their sexual orientation or identity. We have seen first hand the hostility and financial risks faced by couples who love one another. We stand with them in seeking the equal protection of the laws of Maryland in support of their relationships and their families.

### **Govans Presbyterian Church**

5828 York Road  
Baltimore, Maryland 21212

Govans Presbyterian Church has a long history of welcoming into its membership, and into its ordained leadership, all persons regardless of sexual orientation or any other factor other than a profession of faith. The church has encouraged loving members who cannot, under current Maryland law, marry because they are of the same gender to celebrate “Holy Unions” and thereby profess their covenantal relationship. The clergy of this church have officiated at such services of “Holy Union.” The church joins with other *amici curiae* in urging the Court to rule that marriage should be open to all – on behalf of those of its membership and all others in the larger society who are denied the right of marriage.

### **Integrity/Baltimore**

4 East University Parkway  
Baltimore, Maryland 21218

Integrity/Baltimore works for the full inclusion of GLBT people in the life of the Episcopal Church and is affiliated with Integrity, which was founded in 1974. As the Episcopal Church has worked towards full inclusion within, it has also taken numerous stands in favor of equality for GLBT people. All our members are people of faith, and many are living in committed relationships but lacking equal citizenship. We support the effort for full citizenship as whole people embodied in this case.

### **Interfaith Fairness Coalition of Maryland**

P.O. Box 13132  
Baltimore, Maryland 21203

We are an organization of individuals and associations drawn from many religious persuasions that support efforts to:

- Foster more positive perspectives on homosexuality, bisexuality, and transgenerness within religious bodies in cooperation with existing gay, lesbian, bisexual, and transgender (g/l/b/t) friendly religious organizations;
- Implement a program of public education and awareness to counter societal oppression of g/l/b/t persons within the state of Maryland; and
- Nurture a robust, broadly based, statewide interfaith coalition that will develop advocates, from within religious bodies, for fair treatment of g/l/b/t persons in Maryland.

### **Jewish Community Relations Council of Greater Washington**

6101 Montrose Road, Suite 205  
Rockville, Maryland 20852

The Jewish Community Relations Council of Greater Washington is the public affairs and community relations arm of the Greater Washington Jewish community, representing 210 Jewish organizations and synagogues throughout Maryland, Virginia, and the District of Columbia. The JCRC focuses on government relations, Israel advocacy, inter-group relations, and social justice. The JCRC supports full civil recognition of same-sex relationships at all levels of government because committed same-sex relationships promote family and social stability and are no less deserving of full recognition under civil law than the committed relationship of a man and a woman. At the same time, the JCRC strongly affirms the right of faith communities to prescribe their own standards for recognizing religious marriages. The JCRC concludes that any effort to embody in civil law a view based on religious beliefs would raise the most serious of First Amendment issues. The JCRC opposes discrimination against persons based on sexual orientation; and supports government action that provides committed same-sex couples and their families civil status equal to that provided to the committed relationships of men and women and their families, with all associated legal rights and obligations, both federal and state.

### **Light Street Presbyterian Church**

809 Light Street  
Baltimore, Maryland 21230

Light Street Presbyterian Church, a member congregation of the Presbyterian Church (U.S.A.), in the Synod of the Mid-Atlantic and the Presbytery of Baltimore, has been a significant presence in Baltimore's historic Federal Hill neighborhood for 150 years. Believing that all human beings are created by God, in the image and likeness of God, the congregation is committed to welcoming all people into full participation in the life of the congregation "regardless of their race, ethnic background, age, sex, sexual orientation, marital status, or disability." Given the church's commitment to being a welcoming and inclusive congregation, and believing that same-sex couples should have the same marital rights available to any other couple, the Session voted unanimously to join as *amicus curiae* in support of plaintiffs in this action.

**The Vestry of Memorial Episcopal Church**

1407 Bolton Street  
Baltimore, Maryland 21217

Memorial Episcopal Church is a diverse community worshipping God and serving people. Our congregation is dedicated to representing God's expansive love to the world. We welcome and embrace lesbian, gay, bisexual, and transgendered (LGBT) people within the Episcopal Church (USA) and within society-at-large. We feel this is a mandate from the Gospel of Jesus Christ to love every person just as God created them.

The Vestry, Wardens and Clergy of Memorial Episcopal Church believe that the State of Maryland has no compelling interest in restricting marriage to opposite-sex couples, with the result that gay and lesbian couples are denied the privileges, benefits, and responsibilities of marriage. We fully support equal civil rights for the gay and lesbian citizens of Maryland. Such rights include marriage equality for same-sex couples.

**Metropolitan Community Church of Baltimore**

401 West Monument Street  
Baltimore, Maryland 21201

The Metropolitan Community Church of Baltimore affirms access to all Marylanders to the rights, privileges and recognition for their relationships and families. Since our founding in 1972, we have performed religious ceremonies of Holy Union/Marriage which have been a Rite of the Church in our denomination since its founding in 1968. Over 70 percent of the members of our congregation live in committed relationships, and at least one third have children in the family. To deny these individuals the full recognition of their families is unjust. We acknowledge and affirm the rights of each religious community to individually affirm or deny to perform religious ceremonies to bless relationships (as well as many other items and activities), but we believe access to state-granted recognition should be independent of religious sanction.

**Metropolitan Community Church of the Chesapeake**

PO Box 6159  
Annapolis, Maryland 21401

**National Coalition of American Nuns**

Sister Jeannine Gramick, SL, Executive Co-Director  
4012 29<sup>th</sup> Street  
Mt. Rainier, Maryland 20712

The National Coalition of American Nuns believes that the State's failure to recognize same-sex marriage is an unambiguous discrimination based on sexual orientation and is politically and morally wrong.

Founded in 1969, the National Coalition of American Nuns is an organization of approximately 500 Roman Catholic religious women across the United States. The organization is dedicated to studying, working and speaking out on issues of human rights and social justice.

**National Council of Jewish Women, Inc.**

1707 L Street NW, Suite 950  
Washington D.C. 20036

The National Council of Jewish Women is a volunteer organization, inspired by Jewish values, that works to improve the quality of life for women, children, and families and to ensure individual rights and freedoms for all through its network of 90,000 members, supporters, and volunteers nationwide. NCJW endorses and resolves to work for laws that would provide equal rights for same sex couples. In addition, our resolutions state that, "religious liberty and the separation of religion and state are constitutional principles that must be protected and preserved in order to maintain our democratic society." It is in this spirit that we join this brief.

**New Covenant Metropolitan Community Church**

14301 Laurel Bowie Road  
Laurel, Maryland 20708

As a member congregation of the Universal Fellowship of Metropolitan Community Churches, New Covenant MCC is fully committed to the standard of civil equality for all people regardless of sexual orientation or gender identity. We believe that every person has sacred worth and should be afforded dignity and equal protection under the law. By denying same-sex couples the right to marry, our state is denying the full equality and justice that all our citizens deserve and is promoting a particularly negative understanding of same-sex relationships that not all people of faith share. We believe that, as a matter of social justice, civil marriage should be afforded to all committed couples, regardless of sexual orientation. This does not take away the choice of each professional clergy person to determine whether or not to officiate religious marriage for same-sex couples. Rather, it appropriately distinguishes religious marriage from civil marriage, protecting the rights of faith communities to make their own moral determinations while at the same time affording all citizens full equality under the law.

### **New Light Metropolitan Community Church**

40 West Church Street  
Hagerstown, Maryland 21740

We believe that God's Kingdom reigns in hearts that recognize that we are all one in Christ. We believe that to deny the reality of love is to deny God. It is in these beliefs that we do not fear, but celebrate diversity. All families born of love are equal before God and deserve equal protection under the law. We support this brief on Christian principle.

### **New Ways Ministry**

Mt. Rainier, Maryland

New Ways Ministry is a national Catholic ministry of justice and reconciliation for lesbian/gay Catholics and the wider Church community. Our offices are in Mt. Rainier, Maryland, and we are incorporated as non-profit organization in Maryland.

### **Steering Committee of the Parents Reconciling Network**

The Parents Reconciling Network is an extension ministry of the Reconciling Ministries Network, an Outreach program for United Methodist parents and families of lesbian, gay, bisexual, and transgender persons. The PRN Vision Statement states, "We envision a United Methodist Church which in both policy and practice accords all persons, regardless of sexual orientation or gender identity, full participation in the life of the church." We have seen our children suffer discrimination in many forms, both in the United Methodist Church and in the broader society, not the least of which is the denial of the right to enter into a legally recognized union with their life's partner. We are unanimous in our support of their right to do so.

### **Roland Park Presbyterian Church**

4801 Roland Avenue  
Baltimore, Maryland 21210

We are an urban congregation that is open, committed, and seeking an ever deeper understanding of Christ our Lord. The Session has voted to join as *amicus curiae* in support of plaintiffs in this action.

### **St. John United Church (United Methodist/Presbyterian (USA))**

10431 Twin Rivers Road  
Columbia, Maryland 21044

St John United Church (United Methodist/Presbyterian (USA)) is an inclusive, ecumenical congregation that welcomes all to participate in all aspects of the life of the church, regardless of age, race, gender, sexual orientation, disability or economic status. From that tradition, we support full equal civil rights for gay and lesbian citizens of the State of Maryland, including access to marriage for same-sex couples. We believe that same-sex couples deserve the same privileges, benefits and responsibilities of marriage as opposite-sex couples, so as to encourage long-term committed relationships and provide stability for their families.

**Moderator and Session of Takoma Park Presbyterian Church, PC(USA)**

310 Tulip Ave.

Takoma Park, Maryland 20912

Takoma Park Presbyterian Church is “A Church for All People.” We welcome the participation of all, in all aspects of church life and leadership, lay or ordained, regardless of age, race, ethnic origin, gender, sexual orientation, ability/disability, or economic status. TPPC is a More Light congregation within the PC(USA), and we have celebrated Holy Unions between same-gender couples. We support full equal civil rights for gay, lesbian, bisexual and transgendered citizens of the State of Maryland, including access to marriage for same-gender couples. For these reasons, the Session voted unanimously to join as *amicus curiae* in support of plaintiffs in this action.

**That All May Freely Serve: Baltimore, Inc.**

5400 Loch Raven Boulevard

Baltimore, Maryland

The Board of That All May Freely Serve: Baltimore, Inc. is composed of seven Presbyterian Churches in the City of Baltimore and Columbia and many individual members of churches throughout The Presbytery of Baltimore. TAMFS:B works for the just full inclusion of lesbian, gay, bisexual, and transgendered (LGBT) people within the Presbyterian Church (USA) and within society-at-large. TAMFS:B exists to challenge all structures that denigrate the dignity and self-worth of LGBT people, and, by extension, undermine the sanctity and validity of same-sex committed relationships. TAMFS:B understands this work to be a mandate derived from the freeing grace and love of God intrinsic to the Christian faith.

TAMFS:B believes that the State of Maryland has no compelling interest in restricting marriage to opposite-sex couples, with the result that gay and lesbian couples are denied the privileges, benefits, and responsibilities of marriage. TAMFS:B fully supports equal civil rights for the gay and lesbian citizens of Maryland. Such rights include marriage equality for same-sex couples.

**The Board of Trustees of the Towson Unitarian Universalist Church**

1710 Dulaney Valley Road

Lutherville, Maryland 21093

The Board of Trustees of the Towson Unitarian Universalist Church, which is a Welcoming Congregation, wishes to reaffirm its commitment of support for full equality for bisexual, gay, lesbian, and transgender people, including the right of same-sex couples to marry.



**Unitarian Universalist Association of Congregations**

1320 18th Street NW, Suite 300B  
Washington, D.C. 20036

The Unitarian Universalist Association is a religious association of more than 1,000 congregations in the United States, Canada and elsewhere. There are 22 Unitarian Universalist congregations in the State of Maryland. Through its democratic process, the Association adopts resolutions consistent with its fundamental principles and purposes. In particular to the case at bar, the Association has adopted numerous resolutions affirming the general principle of separation of church and state as well as specific resolutions and policies concerning the rights of gay and lesbian people to marry as referenced in this brief.

**Unitarian Universalist Church of Annapolis**

333 Dubois Road  
Annapolis, Maryland 21401

The Unitarian Universalist Church of Annapolis is a congregation of more than 500 adult members, 200 adult non-members and friends, and 200 youth and children. In 1997, through its democratic process, the congregation voted to “affirm and promote the inherent worth and dignity of every person” by becoming a Welcoming Congregation, which means, in part, that we will be inclusive and expressive of the concerns of bisexual, gay, lesbian, and/or transgender persons at every level of congregational life – in worship, in program, and in social occasions, welcoming not only their presence but the unique gifts and particularities of their lives as well. As a Welcoming Congregation, we are in support of full equality for bisexual, gay, lesbian, and transgender people, including the right of same-sex couples to marry.

**Unitarian Universalist Congregation of Columbia, Maryland**

7246 Cradlerock Way  
Columbia, Maryland 21045

As a matter of faith, we Unitarian Universalists have long blessed the sacred unions of all loving and committed couples, regretting that they would not have the benefit of the legal protections of the state. We continue to affirm the right of all loving couples to the full benefits of civil marriage, regardless of sex or gender.

**The Unitarian Universalist Congregation of Frederick**

4880 Elmer Derr Road  
Frederick, Maryland 21703

The Unitarian Universalist Congregation of Frederick is a socially and spiritually welcoming congregation of life-long learners. We embrace social justice, caring for the earth, fairness and peace. By living our UU Principles, we aspire to diversity, compassion, and respect, in our lives, community and world. The Unitarian Universalist Association General Assembly voted in 1996 to call for the legalization of same-sex marriage; indeed, the UUA has a long-standing and deeply held commitment to support full equality for bisexual, gay, lesbian and transgender people that goes back to 1970. Our congregation, in keeping with the principles of the UUA, is a Welcoming Congregation that fully supports this litigation in favor of marriage equality.

**Unitarian Universalist Fellowship of Harford County**

2515 Churchville Road  
Churchville, Maryland 21028

**Unitarian Universalists for Social Justice of the Baltimore Washington Region**

Unitarian Universalists for Social Justice represents 19 Unitarian Universalist congregations and organizations in Baltimore, Washington and Maryland. After consultation with our Board, our Executive Committee voted unanimously to join as *amicus curiae* in this memorandum. We strongly support the right of all couples to be legally married, with all of its rights and privileges. We are committed to working on this issue until civil marriage is recognized as a civil right in Maryland and in America.

**United Church of Christ Coalition for Lesbian, Gay, Bisexual, and Transgender Concerns**

2592 West 14th Street  
Cleveland, Ohio 44113

The United Church of Christ Coalition for Lesbian, Gay, Bisexual, and Transgender Concerns is officially recognized by the United Church of Christ as a related, self-created organization. The Coalition provides support and sanctuary to all our lesbian, gay, bisexual and transgender sisters and brothers, their families and friends, including those in Maryland; advocates for their full inclusion in church and society; and brings Christ's affirming message of love and justice for all people.

**Unity Fellowship Church of Baltimore**

114 W. Read Street  
Baltimore, Maryland 21202

The ministerial staff of Unity Fellowship Church of Baltimore is committed to a social justice ministry where all people are celebrated as gifts from our Creator. It is for this reason that we are honored to associate our church as *amicus curiae* in an effort to secure marriage equality for all people in Maryland.



**AMICI CURIAE INDIVIDUAL RELIGIOUS LEADERS**

The Reverend Scott W. Alexander  
Senior Minister  
River Road Unitarian Church  
Bethesda, Maryland

Rabbi Joel A. Alter, Assistant Head of  
School and Director of Judaic Studies  
The Shoshana S. Cardin School  
Baltimore's Independent Jewish High  
School  
Baltimore, Maryland

The Reverend Paul E. Anderson, Pastor  
Oaklands Presbyterian Church  
Laurel, Maryland

The Reverend Stephen M. Andersen  
Pastor, Pilgrim United Church of Christ  
Wheaton, Maryland

The Reverend D. Thomas Andrews  
Episcopal Priest  
Bowie, Maryland

The Reverend Dr. Peter M. Antoci  
Episcopal Chaplain  
University of Maryland  
College Park, Maryland

The Reverend Patricia D. Barth  
Interim Pastor  
Takoma Park Presbyterian Church  
Takoma Park, Maryland

Rabbi Donald R. Berlin, Rabbi Emeritus  
Temple Oheb Shalom  
Baltimore, Maryland

The Reverend Peter Bastien  
Christ the Servant Lutheran Church  
Montgomery Village, Maryland

Rabbi Leila Gal Berner, Ph.D., Director  
Lev Tahor: A Center for Jewish Soulwork  
Kensington, Maryland

The Reverend Dr. Amina Marie Binta  
Covenant Baptist Church  
Washington, D.C.

Rabbi Elizabeth Bolton  
Congregation Beit Tikvah  
Baltimore, Maryland

The Reverend Dorothy L. Boulton  
Presbyterian Minister  
Catonsville, Maryland

Rabbi Bradd H. Boxman  
Har Sinai Congregation  
Owings Mills, Maryland

The Reverend Lucy Brady, Pastor  
St. Mark's United Church of Christ  
Baltimore, Maryland

The Reverend Christa Fuller Burns, Pastor  
Faith Presbyterian Church  
Baltimore, Maryland

The Reverend Jason F. Burns, Pastor  
St. Timothy Lutheran Church of Timonium  
Timonium, Maryland

The Reverend Amy Butler, Senior Pastor  
Calvary Baptist Church  
Washington, D.C.

The Reverend Charles R. Butler, III  
President, Interfaith Fairness Coalition of  
Maryland, and Trustee, Ecumenicon  
Fellowship  
Baltimore, Maryland

Rabbi Kenneth L. Cohen, Member  
Rabbinical Assembly and Central  
Conference of American Rabbis  
Bethesda, Maryland

The Reverend Doris E. Cowan  
Parish Associate, Faith Presbyterian Church,  
and Board Member, That All May Freely  
Serve: Baltimore  
Baltimore, Maryland

The Reverend John T. Crestwell, Minister  
Davies Memorial Unitarian Universalist  
Church  
Camp Springs, Maryland

The Reverend Thomas E. Davison, Retired  
Evangelical Lutheran Church of America  
Baltimore, Maryland

The Reverend Dr. John R. Deckenback  
Conference Minister, Central Atlantic  
Conference United Church of Christ  
Baltimore, Maryland

Rabbi Fred Scherlinder Dobb  
Adat Shalom Reconstructionist  
Congregation  
Bethesda, Maryland

The Reverend John F. Dornheim, Chaplain  
Evangelical Lutheran Church in America  
Johns Hopkins Bayview Medical Center  
Baltimore, Maryland

Rabbi George B. Driesen  
Adat Shalom Reconstructionist  
Congregation  
Bethesda, Maryland

The Reverend Dr. Terence Ellen  
Executive Director  
Unitarian Universalists for Social Justice  
Pikesville, Maryland

Cantor Larry M. Eschler  
Temple Beth Ami  
Rockville, Maryland

The Reverend Caroline Fairless  
St. James' Episcopal Church  
Bowie, Maryland

Rabbi Steven Fink  
Temple Oheb Shalom  
Pikesville, Maryland

The Reverend Henry Thomas Foley  
Retired Presbyterian Minister  
Timonium, Maryland

The Reverend Dr. Frank E. Fortkamp  
Rector, Grace Episcopal Church  
Brunswick, Maryland

The Reverend Dr. Joseph R. Foster  
Pastor, Grace United Church of Christ  
Frederick, Maryland

The Reverend Andrew Foster Connors  
Pastor, Brown Memorial Park Avenue  
Presbyterian Church  
Baltimore, Maryland

The Reverend Kate Foster Connors  
Parish Associate, Brown Memorial Park  
Avenue Presbyterian Church  
Baltimore, Maryland

Dr. Michael S. Franch, Ethical Culture  
Leader and Affiliate Minister  
First Unitarian Church  
Baltimore, Maryland

The Reverend Rachel A. Frey  
Associate Minister  
University Christian Church  
Hyattsville, Maryland

The Reverend Dr. Edward Francis Gabrielle  
Lutheran Minister  
Germantown, Maryland

The Reverend Mary D. Gaut, Pastor  
Maryland Presbyterian Church  
Towson, Maryland

The Reverend Paige Getty, Minister  
Unitarian Universalist Congregation  
of Columbia  
Columbia, Maryland

The Reverend Dr. Alison Halsey  
Pastor, The First and Franklin Street  
Presbyterian Church  
Baltimore, Maryland

The Reverend Dr. Clifford L. Harrison  
Retired United Methodist Pastor Presently  
Associated with the Evangelical Reformed  
United Church of Christ  
Frederick, Maryland

The Reverend Jerri Lee Harrison  
Associate Minister  
Unity Fellowship Church of Baltimore  
Baltimore, Maryland

Rabbi Floyd L. Herman, Rabbi Emeritus  
Har Sinai Congregation  
Owings Mills, Maryland

The Reverend Dr. Kirby Lawrence Hill  
Pastor  
Warner Memorial Presbyterian Church  
Kensington, MD

The Reverend Keith Holder  
Associate Minister  
Unity Fellowship Church of Baltimore  
Baltimore, Maryland

The Reverend William A. Holmes  
Retired United Methodist Minister  
Silver Spring, Maryland

Apostle Dale Jarrett, Senior Pastor  
Believers Covenant Fellowship  
(McLean, Virginia)  
Montgomery Village, Maryland (residence)

Rabbi Jason Kimelman-Block  
Silver Spring, Maryland

The Reverend Susan LaMar, Minister  
Channing Memorial Church, Unitarian  
Universalist  
Ellicott City, Maryland

The Reverend Dr. Fred Lehr  
Retired Lutheran Pastor  
Severna Park, Maryland

The Reverend Don Bruce Lowe  
Methodist Minister  
Safe Passages Program  
Cheverly, Maryland

The Reverend T. Stewart Lucas  
Assistant to the Rector  
Memorial Episcopal Church  
Baltimore, Maryland

The Reverend Martha N. Macgill, Rector  
Memorial Episcopal Church  
Baltimore, Maryland

The Reverend Ginger Luke  
Minister of Religious Education and  
Congregational Life  
River Road Unitarian Church  
Bethesda, Maryland

The Reverend Dr. Donna Martin  
Hospice Chaplain, United Church of Christ  
Columbia, Maryland

The Reverend Anthony W. McCarthy,  
Associate Minister  
Unity Fellowship Church of Baltimore  
Baltimore, Maryland

The Reverends Paul and Barbara Mehl,  
Retired Pastors, United Church of Christ  
Frederick, Maryland

Rabbi Sarah Meytin  
Jewish Community Relations Council of  
Greater Washington  
Gaithersburg, Maryland

The Reverend Deacon Meredith Moise  
Deacon in the United Ecumenical Catholic  
Church  
Baltimore, Maryland

The Reverend Fred Muir, Minister  
Unitarian Universalist Church of Annapolis  
Annapolis, Maryland

The Reverend John Oliver, Chaplain  
Heartland Hospice  
Baltimore, Maryland

The Reverend Sherrill L. Page  
Episcopal Priest  
Leonardtown, Maryland

Rabbi Jonathan Panitz  
Bolton Street Synagogue  
Baltimore, Maryland

The Reverend Clare Petersberger, Minister  
The Towson Unitarian Universalist Church  
Lutherville, Maryland

The Reverend David L. Pollitt, D.Min.  
Retired Member of Baltimore Presbytery  
Forest Hill, Maryland

The Reverend Roger Scott Powers, Pastor  
Light Street Presbyterian Church  
Baltimore, Maryland

The Reverend NaDine Rawls  
Owings Mills, Maryland

The Reverend Carolyn L. Roberts  
United Church of Christ Minister  
Frederick, Maryland

The Reverend Amy Russell, Pastor  
Sugarloaf Congregation of Unitarian  
Universalists  
Germantown, Maryland

The Reverend Narka Keller Ryan  
Retired, Disciples of Christ  
Catonsville, Maryland

The Reverend Dr. William Stuart Ryan  
Retired, Disciples of Christ  
Catonsville, Maryland

Rabbi Elissa Sachs-Kohen  
Baltimore Hebrew Congregation  
Baltimore, Maryland

Rabbi Robert Saks  
Congregation Bet Mishapchah  
Washington, D.C.

The Reverend Donna J. Schramm  
Retired United Church of Christ Minister  
Potomac, Maryland

The Reverend Debbie Scott  
United Methodist Church Minister  
Bethesda, Maryland

Rabbi Judith Seid  
Baltimore Jewish Cultural Chavurah  
Baltimore, Maryland

The Reverend Dr. John R. Sharp  
Interim Pastor  
Springfield Presbyterian Church  
Sykesville, Maryland

Rabbi David Spey  
Temple Beth Ami  
Rockville, Maryland

The Reverend Angela F. Shepherd  
Episcopal Priest  
Annapolis, Maryland

The Reverend Allison C.G. Smith, Minister  
Bethesda United Church of Christ  
Bethesda, Maryland

The Reverend Kingsley Smith  
Retired Episcopal Priest  
Towson, Maryland

The Reverend R. David Smith, Pastor  
Metropolitan Community Church of  
Baltimore  
Baltimore, Maryland

The Reverend Sharon Smith, Pastor  
The Gathering of Baltimore  
Timonium, Maryland

The Reverend Cynthia A. Snavely, Minister  
Goodloe Memorial Unitarian Universalist  
Congregation and  
Unitarian Universalists of Fallston  
Bowie and Fallston, Maryland

Rabbi Sonya Starr  
Reconstructionist Rabbi  
Columbia, Maryland

The Reverend Lori Staubitz  
Unitarian Universalist Fellowship of  
Southern Maryland  
Leonardtown, Maryland

The Reverend Don Stevenson  
United Church of Christ Minister  
Hagerstown, Maryland

Rabbi Warren Stone  
Reform Jewish Rabbi  
Temple Emanuel  
Kensington, Maryland

The Reverend Donald E. Stroud  
Minister of Outreach and Reconciliation  
That All May Freely Serve – Baltimore  
Baltimore, Maryland

The Reverend Bruce G. Swanson  
Pastor, First and St. Stephen's United  
Church of Christ  
Baltimore, Maryland

Monsignor John W. Sweeley, Th. D.  
Catholic Apostolic Church of Antioch –  
Malabar Rite  
Baltimore, Maryland

The Reverend Cynthia Terry  
Ordained in the United Church of Christ  
College Chaplain, Goucher College  
Baltimore, Maryland

The Reverends Barbara W. and  
Jaco B. ten Hove, Co-Ministers  
Paint Branch Unitarian Universalist Church  
Adelphi, Maryland

The Reverend Norman Theiss, Pastor  
Augustana Lutheran Church  
Silver Spring, Maryland

The Reverend Harris Thomas  
Founding Pastor  
Unity Fellowship Church of Baltimore  
Baltimore, Maryland

The Reverend Dr. Paul D. Tunkle, Rector,  
Church of the Redeemer  
Baltimore, Maryland

The Reverend Herbert D. Valentine  
Former Executive Presbyter, Baltimore  
Presbytery  
Moderator, 203rd General Assembly of the  
Presbyterian Church (USA)  
Towson, Maryland



The Reverend Lisa Ward, Minister  
Unitarian Universalist Fellowship of  
Harford County  
Havre de Grace, Maryland

The Reverend Jamie Washington  
Associate Minister  
Unity Fellowship Church of Baltimore  
Baltimore, Maryland

The Reverend Nancy J. Webb  
Associate Pastor  
Grace United Methodist Church  
Baltimore, Maryland

The Reverend Dr. Edwin Wenck, Member  
Chesapeake Association of the Central  
Atlantic Conference  
United Church of Christ  
Lutherville, Maryland

The Reverend Leslie Westbrook, Ph.D.  
Fellowship Unitarian Universalist Minister  
Kensington, Maryland

The Reverend Valerie T. Wills, Pastor,  
Unitarian Universalist Church of  
Hagerstown  
Hagerstown, Maryland

## STATEMENT ON EQUAL ACCESS TO MARRIAGE

### By Christian Clergy of Maryland

We the undersigned ministers of Christian denominations within the State of Maryland are alarmed by the inflammatory, misleading, and discriminatory rhetoric of some Christian ministers who would have their voice be perceived as speaking for all Christians in advocating for the denial of equal civil rights for gay and lesbian couples in Maryland. Therefore, we shall not be silent and allow such Christian ministers to subvert the language and symbols of the Christian faith for the purpose of inciting fear against the gay and lesbian citizens of Maryland. We shall not be silent and allow to go unchallenged a selective interpretation of Scripture used as the basis of social policy to strip gay and lesbian citizens of their basic civil rights. We shall not be silent and allow fellow human beings who are gay and lesbian to be judicially or legislatively reduced to second class citizenship without full access to the inalienable rights of life, liberty, and the pursuit of happiness.

We call Christians and all people of faith within Maryland to stand with us. Let us affirm that all people are created in the image of God, having the same rights and responsibilities with us as citizens, and for those who are members of faith communities, having the same rights and responsibilities as believers with us in the household of faith.

At this time in the history of Maryland we express particular concern for lesbians and gay men in our society and for the abuse of them in the name of Christianity.

**Because we**

reject the exploitation of selected verses of the Bible to declare same-gender sexual expression to be per se sinful;

**Because we**

understand sin to be whatever alienates a person from trust in God and to have the effect of distorting the image of God in ourselves and others;

**Because we**

believe that both heterosexual and homosexual relations are capable of being sinful and of being faithful;

**Because we**

know there are many gay, lesbian, bisexual, and transgendered people active within our various Christian denominations and also know them to be some of the most faithful and dedicated Christians within our communities;

**Because we**

believe and adhere to a strict separation of church and state, whereby no laws shall be enacted to establish any specific religion or theological doctrine;

**Because we**

do not wish to see any religious institution aided by the civil power, further than may be necessary for protection and security of the free exercise of religion, and at the same time, equal and common to all others;

**Because we**

recognize the historical and long-standing distinction between civil marriage and the rite of Christian marriage;

**Because we**

believe the State of Maryland has no compelling interest in restricting civil marriage to opposite-gender couples, with the result that gay and lesbian couples are denied the protections and responsibilities of marriage;

**Therefore, we support**

the efforts to secure marriage equality for the gay and lesbian citizens of the State of Maryland;

**And, we urge**

the civil community to recognize that gay and lesbian citizens are entitled to all the rights, benefits, privileges and responsibilities that living in this democratic state and nation entails, including the right of civil marriage.

**In conclusion, we affirm**

that Christ Jesus is our peace, who has broken down all dividing walls of hostility; and who calls us to lead people into responsible and faithful relationships, committing themselves to one another and to God's loving presence.

**112 Maryland Christian Clergy Endorsements of the  
Statement of Equal Access to Marriage**  
(as of February 10, 2006)

Rev. Dr. James H. Adams  
Presbyterian Church (USA), Retired,  
Rockville

Rev. Paul E. Anderson  
Pastor, Oaklands Presbyterian Church,  
Presbyterian Church (USA), Laurel

Rev. Dr. Peter M. Antoci  
Episcopal Diocese of Washington, Chaplain,  
University of Maryland/College Park,  
College Park

Rev. Douglas E. Bartlett  
PC(USA), Baltimore

Rev. R. Whitfield Bass  
Pastor, St. John United, Columbia

Rev. Dr. William L. Bearden  
PC(USA), Retired, Baltimore

Rev. James M. Bell  
Associate Conference Minister, Central  
Atlantic Conference, United Church of  
Christ, Baltimore

Rev. Dorothy Boulton  
Catonsville Presbyterian Church, Catonsville

Rev. Dr. Wayne Boulton  
PC(USA), Baltimore

Rev. Christa Fuller Burns  
Faith Presbyterian Church, PC(USA),  
Baltimore

Pastor Jason Burns  
St. Timothy Lutheran Church, ELCA,  
Timonium

Rev. Currie Burris  
Silver Spring Presbyterian Church, PC(USA),  
Silver Spring

Rev. Lon B. Chesnutt  
United Methodist Church, Columbia

Rev. Shirley B. Coll  
UCC, Retired, Potomac

Rev. Elizabeth Colton  
UCC, Catonsville

Rev. Kate Foster Connors  
PC(USA), Baltimore

Rev. Andrew Foster Connors  
Brown Memorial Park Avenue Presbyterian  
Church, PC(USA), Baltimore

Rev. Rachel Cornwell  
United Methodist Church, Bethesda

Rev. Doris E. Cowan  
Parish Associate, Faith Presbyterian Church,  
PC(USA), Baltimore

Rev. James R. Crowder  
Episcopal Priest, Retired, Baltimore

Rev. James W. Dale  
Brown Memorial Woodbrook Presbyterian  
Church, PC(USA), Towson;

Rev. Robert E. Daly  
Episcopal Church, Retired Priest, Baltimore

Rev. Thomas E. Davison  
ELCA, Baltimore

Rev. Patricia J. de Beer  
Rector, St. Martins-In-The-Field,  
Severna Park

Rev. Dr. John R. Deckenback  
Conference Minister, Central Atlantic  
Conference, UCC, Frederick

Rev. Sandy Dodson  
Christ Congregational Church, UCC,  
Silver Spring

Rev. John F. Dornheim  
Chaplain, JHBMC, Evangelical Lutheran  
Church in America, Baltimore

Rev. Ted Dürr  
PC(USA), Baltimore

Rev. Dale W. Dusman  
ELCA, Baltimore

Rev. Mary Louise Ellenberger  
PC(USA), Retired, Towson

Rev. Caroline Fairless  
St. James Episcopal Church, Bowie

Kristen Claire Foley  
Pastoral Intern, Metropolitan Community  
Church Baltimore/UFMCC, Baltimore

Rev. H. Thomas Foley  
PC(USA), Baltimore Presbytery, Retired,  
Towson

Rev. Dr. Jerrold L. Foltz  
Associate Conference Minister for the  
Catoctin Association, Central Atlantic  
Conference, UCC, 36 churches in  
Washington, Frederick, and Carroll Counties

Rev. Gordon M. Forbes  
UCC, Rockville

Rev. Mary D. Gaut  
PC(USA), Towson

Rev. Columba Gilliss  
Episcopal Church, Retired, Frederick

Rev. Arthur Dan Gleckler  
Pastor, United Methodist Church, Baltimore-  
Washington Conference, Baltimore

Rev. Gerald Goethe  
United Methodist Church, Retired, Columbia

Rev. Ann Gordon  
St. John's of Baltimore City United Methodist  
Church, Baltimore

Rev. Dr. Andrew L. Gunn  
UMC, Germantown

Rev. Dr. Alison Halsey  
Pastor, First and Franklin Street Presbyterian  
Church, Baltimore

Rev. Clifford L. Harrison  
United Methodist, Frederick

Rev. Anita E. Hendrix, D.Min.  
PC(USA), Hunting Ridge Presbyterian  
Church, Baltimore

Rev. Robert E. Hensley  
Priest, The Episcopal Church, Silver Spring

Rev. Mr. Harry L. Holfelder  
PC(USA), Baltimore

Rev. James C. Holmes  
Episcopal Church, Baltimore

Rev. William A. Holmes  
UMC, Baltimore/Washington Annual  
Conference, Silver Spring

Rev. Mark A. G. Huffman  
ELCA, Lutherville

Rev. Dr. Margee Adams Iddings  
PC(USA), Flintstone

Rev. J. Calvin Jackson  
PC(USA), Retired, Glen Arm

Rev. T. Gregory Knepp  
Lutheran (ELCA), Baltimore

Rev. Dr. Kenneth E. Kovacs  
PC(USA), Baltimore

Rev. Barbara Ann Laukaitis  
PC(USA), Baltimore

Rev. Florence L. Ledyard  
Rector, St. Bartholomew's Episcopal Church,  
Baltimore

Pastor Fred Lehr  
Lutheran (ELCA), Retired, Severna Park

Rev. Herbert K. Lodder  
Chaplain JHBMC, Baltimore

Rev. T. Stewart Lucas  
Memorial Episcopal Church, Baltimore

Rev. Martha Macgill  
Memorial Episcopal Church, Baltimore

Rev. Dr. Donna Martin  
Hospice Chaplain, United Methodist Church,  
Columbia

Rev. Ronald Martin-Minnich  
PC(USA), Baltimore

Rev. Teresa Martin-Minnich  
Roland Park Presbyterian Church, PC(USA),  
Baltimore

Rev. C. Miller  
ELCA, Laurel

Rev. Ms. Meredith Moise  
Deacon, United Reform Catholic Church,  
Baltimore

Rev. Judy Moller  
ELCA, Cascade

Rev. Lance Mullins  
Pastor, New Covenant Metropolitan  
Community Church, Columbia

Rev. Dr. Howard Nash  
Pastor, St. Johns United Methodist Church of  
Hamilton, Baltimore

Rev. David K. North  
Pastor, Holy Redeemer Metropolitan  
Community Church, College Park

Rev. Catherine J. Oatman  
United Evangelical, UCC, Baltimore

Rev. John Oliver  
UCC, Hospice Chaplain, Baltimore

Rev. Beth A. O'Malley  
UCC, Columbia United Christian Church,  
Columbia

Rev. David L. Pollitt, D.Min.  
PC(USA), Forest Hill

Rev. Roger Scott Powers  
Pastor, Light Street Presbyterian Church,  
Baltimore

Rev. R. Bruce Poynter  
UMC (Retired), Frederick

Rev. Dr. Thomas E. Price  
Retired, UMC, Bowie

Rev. Neta Pringle  
Interim Pastor, Govans Presbyterian Church,  
Baltimore

Rev. David S. Remington  
Episcopal Priest, Retired, Baltimore

Rev. Gerry Rickel  
Second English Lutheran Church, Baltimore

Rev. Carolyn L. Roberts  
UCC, Frederick

Rev. P. Barrett Rudd, D.Min.  
PC(USA), Lutherville

Rev. Narka Keller Ryan  
Retired, Christian Church (Disciples of  
Christ), Baltimore

Rev. Dr. William S. Ryan  
Retired, Christian Church (Disciples of  
Christ), Catonsville

Rev. Wayne E. Schwandt  
Metropolitan Community Church of the  
Chesapeake, Annapolis

Rev. Dr. John R. Sharp  
PC(USA), Baltimore

Rev. Dr. Roger Shoup  
Govans Presbyterian Church, Baltimore

Rev. Richard W. Shreffler  
First and Franklin Street Presbyterian Church,  
Baltimore

Rev. Dr. Victoria R. Sirota  
Vicar, Church of the Holy Nativity  
(Episcopal), Baltimore

Rev. Scott Slater  
Church of the Good Shepherd (Episcopal),  
Towson

Rev. Allison C. G. Smith  
Bethesda United Church of Christ, Bethesda

Rev. Ben H. Smith, Jr.  
The Episcopal Cathedral of the Incarnation,  
Baltimore

Rev. Frank Smith  
New Church in Spirit, Baltimore

Rev. Kingsley Smith  
Church of the Good Shepherd (Episcopal),  
Towson

Rev. R. David Smith  
Metropolitan Community Church of  
Baltimore, Baltimore

Rev. Mr. Donald E. Stroud  
PC(USA), That All May Freely Serve:  
Baltimore, Baltimore

Rev. Barbara L. Stumpf  
PC(USA), Baltimore

Rev. Bruce G. Swanson  
Pastor, First and St. Stephen's United Church  
of Christ, Baltimore

Rev. Robert E. Taylor, O.S.L.  
Open Door Metropolitan Community Church,  
Boys

Rev. Cynthia A. Terry  
College Chaplain, Goucher College, United  
Church of Christ, Baltimore

Rev. James A. Todhunter  
Senior Minister, Christ Congregational  
Church, UCC, Silver Spring

Rev. Janice L. Trammell-Savin  
PC(USA), Baltimore

Rev. Dr. Paul D. Tunkle  
Rector, Episcopal Church of the Redeemer,  
Baltimore

Rev. Betty Ure  
Columbia United Christian Church, UCC,  
Columbia

Rev. Stephanie Vader  
Pastor, Emmanuel United Methodist Church,  
UMC, Laurel

Rev. Herbert Valentine  
PC(USA), Baltimore

Rev. Gretchen van Utt  
PC(USA), Baltimore

Rev. Nancy J. Webb  
Foundry United Methodist Church, Suitland

Rev. Frederick K. Weimert  
American Baptist Church USA, Towson

Rev. Lauren M. Welch  
Episcopal Diocese of Maryland, Baltimore

Rev. Dr. Edwin O. Wenck  
United Church of Christ, Baltimore

Rev. Tammy Wooliver  
Episcopal Priest, Baltimore

Rev. Dr. Ira Zepp  
United Methodist Church, Westminster

Rev. Esther R. Ziegler  
Minister of Congregational Care, Evangelical  
Reformed United Church of Christ, Frederick



JEWISH COMMUNITY RELATIONS COUNCIL OF GREATER WASHINGTON  
STATEMENT ON FULL CIVIL EQUALITY FOR SAME SEX COUPLES

The recent public focus on civil recognition of same sex couples has produced substantial activity at the state and federal level, including legislation and constitutional amendments (both enacted and proposed) as well as court decisions.

In 1999, the Vermont Supreme Court held that denying same sex couples the benefits of civil marriage violated the state constitution. The Vermont legislature subsequently adopted legislation recognizing civil unions for same sex couples, with state-recognized rights and responsibilities comparable to the rights and responsibilities under civil marriage. Similarly, in 2003 the Massachusetts Supreme Court held that denying civil marriage licenses to same sex couples violated the state constitution.

In contrast, the federal government and state governments more frequently have adopted or proposed measures that deny same sex couples the opportunity to share the rights and obligations generally accorded to other couples who enter into civil marriage. The 1996 federal "Defense of Marriage Act" is typical of the many discriminatory enactments in its definition of "marriage" as meaning "only a legal union between one man and one woman as husband and wife" and limiting the word "spouse" to "a person of the opposite sex who is a husband or a wife." The result of the Act is to bar federal recognition of state action that legitimizes same sex relationships, thereby denying to committed same sex couples a host of federal economic and legal benefits. The GAO has identified over 1100 benefits under federal law alone that are provided to couples or individuals based on marital status, including spousal participation in federal health insurance and survivor's pensions. The same federal statute authorizes States to deny recognition of same sex relationships legitimized in other states; to date, over a dozen states have done so.

Public discourse on the "gay marriage" issue too often ignores the critical distinction between religiously-sanctioned marriage and civil recognition of committed relationships. Opponents of civil recognition of same sex relationships frequently suggest that such action by the government threatens the "sanctity" of marriage. This position is problematic, for several reasons.

First, marriage is "sanctified" by religious ceremony – not by civil law. Divergent rules relating to religious marriage and civil marriage are common in many religious traditions, including Judaism, and have existed for centuries. For example, many rabbis will not preside over the religious marriage of interfaith couples, yet civil marriages of interfaith couples routinely are licensed by the government; on the other hand, Jewish clergy affiliated with some branches of Judaism regularly consecrate committed same sex relationships that currently are denied civil recognition. Like most faith communities, the Jewish community does not look to civil authorities to determine what relationships merit sanctification under Jewish tradition.

Second, the assertion that civil recognition of committed same sex relationships threatens "sacred" traditions obliterates the critical separation of church and state. Without questioning the sincerity of persons who advance this view, we note that the effort to embed in civil law a view that is based solely on religious beliefs, and not on public policy, necessarily constitutes an effort

to impose religious views on the general population and raises the most serious of First Amendment concerns.

Third, we recognize that while many roots of civil marriage can be traced to religious marriage, the institution of modern civil marriage has evolved largely to effectuate secular, and not uniquely religious, aims. By seeking civil recognition of their marriage, committed couples enter into a contract by which they mutually assume a new relationship toward each other and the state. The legal, financial and social benefits of marriage are large, just as marriage imposes weighty legal, financial and social obligations. These benefits and obligations – specified by state and federal law – advance a variety of important public aims.

The JCRC of Greater Washington strongly affirms the right of faith communities to prescribe their own standards for recognizing religious marriage. However, civil recognition of committed relationships is different from the sanctification of religious marriage. Committed same sex relationships promote family and social stability, and are no less deserving of full recognition under civil law than the committed relationship of a man and woman. The JCRC of Greater Washington therefore supports the full civil recognition of same sex relationships at all levels of government.

**THEREFORE, BE IT RESOLVED:**

1. The Jewish Community Relations Council of Greater Washington affirms its opposition to discrimination against persons based on sexual orientation.
2. The Jewish Community Relations Council of Greater Washington expresses its support for government action that provides civil status to committed same sex couples and their families equal to the civil status provided to the committed relationships of men and women and their families, with all associated legal rights and obligations, both federal and state.
3. The Jewish Community Relations Council of Greater Washington opposes efforts at the federal and state level (whether through legislation or constitutional amendment) that would limit or deny legal benefits to same sex couples and their families.



## Minute on Civil Marriage

---

The Executive Committee of the AFSC Board of Directors, acting at the direction of the full board, approved the following statement in January, 2004. A "minute" is a Quaker term that refers to a formal communication from a group of people who are part of the larger Religious Society of Friends.

Please note that AFSC does not speak for all Friends, who have widely differing views on the subject of equality for lesbian, gay, bisexual, and transgender people and on proposed "marriage amendments." There is no central governing authority in the Religious Society of Friends that speaks for all Quakers.

### **Board Executive Committee meeting January 9-10, 2004**

#### **BDEX04-12: Minute on Civil Marriage**

The Board Executive Committee made minor changes in the final two paragraphs of the Proposed Minute on Equality of Rights with Regard to Civil Marriage (Supporting Paper #8A) as follows:

We minute our support for equal civil marriage rights for lesbian, gay, bisexual, and transgender people. We are aware that many are calling for civil unions for lesbian, gay, bisexual, and transgender people and some people wish to reserve civil marriage for heterosexual couples alone. It is our belief that government sanction should be applied equally. All couples should be granted civil union licenses or all should be granted marriage licenses.

In doing so, we are careful to distinguish between civil law, in which no single religious view should predominate, and the right of various faith traditions, denominations, and congregations to decide for themselves whether they will perform, support, or recognize the marriages of people who are lesbian, gay, bisexual, and transgender. Similarly, we wish to distinguish between the necessity for equality in the matter of civil law and coercive governmental "marriage promotion" policies that

### **Contact Us**

**Kathryn Kurtz**  
Associate Director,  
Community Relations  
Unit

1501 Cherry St.  
Philadelphia, PA 19102

**Phone:**  
(215) 241-7125  
**Fax:**  
(215) 241-7119  
**Email:** [lgbt@afsc.org](mailto:lgbt@afsc.org)

seek to enforce only one standard of worthiness for people who receive government assistance. We uphold equality in civil law and the principle of free choice in the matter of marriage while rejecting the idea that the worthiness of persons and families is determined by marital status.  
Approved.



# Support of the Right to Marry for Same-Sex Couples

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## 1996 Resolution of Immediate Witness

Because Unitarian Universalists affirm the inherent worth and dignity of every person; and

Because marriage is held in honor among the blessings of life; and

WHEREAS many states, the Congress, and the President of the United States are acting to void the recognition of same-sex marriages and to deny "full faith and credit" to such marriages formalized in Hawaii or any other state;

WHEREAS debate about legally recognized marriage to same-sex couples has focused on the objections of certain religious communities, while the Unitarian Universalist Association has adopted numerous resolutions over the last twenty-six years supporting equal rights for gay, lesbian, bisexual, and transgendered persons, including support of Ceremonies of Union between members of the same sex; and

WHEREAS the Unitarian Universalist Association Board of Trustees and the Unitarian Universalist Ministers Association have voted their support for the right to marry for same-sex couples;

THEREFORE be it resolved that the 1996 General Assembly of the Unitarian Universalist Association adopts a position in support of legal recognition for marriage between members of the same sex;

BE IT further resolved that the 1996 General Assembly urges the Unitarian Universalist Association to make this position known through the media; and

BE IT finally resolved that the 1996 General Assembly of the Unitarian Universalist Association urges the member congregations to proclaim the worth of marriage between any two committed persons and to make this position known in their home communities.

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## Oppose Federal Marriage Amendment

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WHEREAS the Unitarian Universalist Association has made strong public announcements that "Civil Marriage is a Civil Right" ;

WHEREAS several prominent national political leaders have proposed an amendment to the United States Constitution that would deny the rights and privileges of civil marriage to same-gender couples;

WHEREAS The Defense of Marriage Act (DOMA) of 1996 stipulates that marriage is between a man and a woman;

WHEREAS the Supreme Judicial Court of Massachusetts ruled that same-sex and opposite-sex couples must be given equal civil marriage rights, effective May 17, 2004;

WHEREAS half of the plaintiffs in the Supreme Judicial Court of Massachusetts ruling were Unitarian Universalists;

WHEREAS a coalition of twenty religious groups is opposed to this amendment, including the Unitarian Universalist Association, the Episcopal Church USA, the Evangelical Lutheran Church of America, and the Union for Reform Judaism;

WHEREAS the amendment denying marriage equality for same-gender couples is currently being considered by the Congress of the United States and is scheduled for consideration by the Senate during the week of July 12, 2004; and

WHEREAS this would be the only amendment to the Constitution that denies rights to any group and therefore undermines the intent of that great document;

BE IT RESOLVED that the members and congregations of the Unitarian Universalist Association urge their legislators to vote against the proposed "Federal Marriage Amendment" (H.R. Res. 56); and

BE IT FURTHER RESOLVED that the UUA Office of Advocacy and Witness take appropriate action to advocate against any attempt to deny civil marriage rights to same-gender couples.

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## United Church of Christ leaders denounce Federal Marriage Amendment; call for action and dialogue on marriage

April 28, 2004

ATLANTA—The Executive Council of the United Church of Christ, meeting in Atlanta, Monday (April 26) released a statement calling for the defeat of any federal or state "Defense of Marriage"-type legislation and inviting continued "serious, respectful, responsible discussions about...marriage, including diverse understandings of marriage." Earlier, the Boards of Directors of the denomination's four covenanted ministries—Justice and Witness Ministries, Local Church Ministries, Office of General Ministries and Wider Church Ministries—passed similar resolutions, with much common text, in their joint board meetings, held April 22-25 in Atlanta.

In calling for the defeat of the Federal Marriage Amendment, the repeal of the Defense of Marriage Act of 1996, and the defeat or repeal of any similar State legislation, UCC leaders affirmed "equal rights for all couples who seek to have their relationships recognized by the State."

They also said, "We hold that, as a child of God, every person is endowed with worth and dignity that human judgment cannot set aside. We believe that recognition of the sacred joining of individuals is deserving of serious, faithful discussion by people of faith."

The UCC Executive Council released the statement and the four Boards passed their resolutions "because there is a need to end the rhetoric which fuels hostility, misunderstanding, fear and hatred expressed toward gay, lesbian, bisexual and transgender persons, and the denial of their equality under law." The approved texts cite the UCC's historic stance with disenfranchised persons, including persons of color and women.

The 1.3-million-member United Church of Christ, with national offices in Cleveland, has some 6,000 local congregations in the United States and Puerto Rico. The UCC's national setting, General Synod and regional and national bodies speak to, but not for, its local churches.

*EDITORS AND PRODUCERS: Here are excerpts from the texts of the "Call to Action and Invitation to Dialogue on Marriage" resolutions of the Boards of Directors of the United Church of Christ's Covenanted Ministries, and the statement released by the UCC's Executive Council April 26, 2004.*

The United Church of Christ has historically stood with the disenfranchised. From support by our predecessor denominations for abolition of slavery to the recognition of women as equal partners in religious leadership, we have consistently honored the biblical injunction to support 'the least of these.' We hold that, as a child of

### Reference Material

Frequently asked question regarding the "Call to Action and Invitation to Dialogue" adopted by the Executive Council of the United Church of Christ.

✦ F.A.Q.

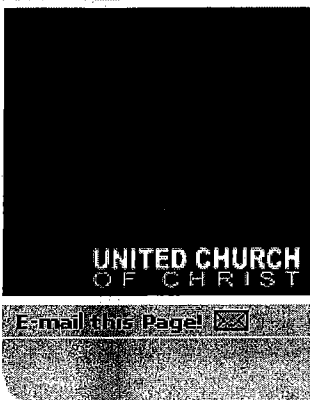
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### For More Information

Barb Powell  
United Church of Christ  
700 Prospect Ave.  
Cleveland, OH 44115  
216-736-2175  
powellb@ucc.org



God, every person is endowed with worth and dignity that human judgment cannot set aside. We believe that recognition of the sacred joining of individuals is deserving of serious, faithful discussion by people of faith, taking into consideration the long, complex history of marriage and family life, layered as it is by cultural practices, economic realities, political dynamics, religious history, and biblical interpretation.

Because there is a need to end the rhetoric which fuels hostility, misunderstanding, fear and hatred expressed toward gay, lesbian, bisexual and transgender persons, and the denial of their equality under the law... we...

- Call for the defeat of the Federal Marriage Amendment and the repeal of the Defense of Marriage Act of 1996 (DOMA);
- Call for the defeat or repeal of any similar Amendments to the Constitution of any State and the defeat or repeal of any State's Defense of Marriage Act (DOMA) or similar legislation...
- Encourage and support the continued collaborative efforts of the UCC to develop educational resources, study guides and social policy analyses for use by UCC members and congregations in addressing the issues of marriage;
- Urge all settings of the UCC and individual church members to engage in serious, respectful, responsible discussions about the study of marriage, including diverse understandings of marriage;
- Commend the resources now available to our churches called "God Is Still Speaking, About Marriage." This resource is a discussion guide for congregations to engage in healthy conversations and study about marriage, biblical and theological reflections on covenant and marriage, legal and economic aspects of marriage, and the role of the church in making marriages official and legal (see ; and
- Affirm equal rights for all couples who seek to have their relationships recognized by the State.

The national setting of the United Church of Christ is committed to being in ministry in ways that are multiracial, multicultural, open and affirming, accessible to all, and advocate for peace with justice.

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*Note: The following resolution, approved by General Synod 25 in Atlanta, should not be considered "final" until the minutes of the General Synod have been reviewed and approved by the Executive Council in October.*

## **In Support of Equal Marriage Rights for All**

1 *Beloved, let us love one another, because love is from God; everyone who loves is born*  
2 *of God and knows God. 1 John 4:7*

3

4 *"Therefore what God has joined together, let no one separate." Mark 10:9*

5

### **Background**

7 Ideas about marriage have shifted and changed dramatically throughout human  
8 history, and such change continues even today. At different points marriage has been  
9 defined in response to economic realities, by the primacy of procreation and by societal  
10 understandings of the role of men and women. In the Gospel we find ground for a  
11 definition of marriage and family relationships based on affirmation of the full humanity  
12 of each partner, lived out in mutual care and respect for one another. Scripture itself,  
13 along with the global human experience, offers many different views of family and how  
14 family is to be defined. This unfolding revelation and understanding needs to be  
15 weighed carefully by people of faith considering the issue of equal marriage rights for  
16 couples regardless of gender. Jesus radically challenged his traditional cultural roles and  
17 concepts of family life. Jesus boldly declared members of the household/family of God  
18 to be whoever hears and follows the will of God.

19

20 Civil/legal marriage carries with it significant access to institutional support,  
21 rights and benefits. There are more than 1,400 such rights and benefits in the federal  
22 statutes alone. Efforts to ban civil marriage to couples based on gender denies them and  
23 their children access to these rights and benefits, and thus, undermines the civil liberties  
24 of these couples, putting them and their children at risk.

25

26 Throughout its history, the United Church of Christ has been at the forefront in  
27 the struggle for justice and equality. For more than 30 years, the General Synod of the  
28 UCC has adopted resolutions affirming lesbian, gay, bisexual and transgender (LGBT)  
29 persons, consistently calling for an end to discrimination, equal protection under the law,  
30 deploring LGBT hate crimes and violence, supporting LGBT relationships and families,  
31 celebrating the gifts of LGBT persons for ministry and encouraging all settings of the  
32 church to be open and affirming of LGBT persons, welcoming them and encouraging  
33 their participation in every aspect of the mission and ministry of the church.

34

35

36

37 **Theological and Biblical Foundations**  
38

39 The message of the Gospel is the lens through which the whole of scripture is to  
40 be interpreted. Love and compassion, justice and peace are at the very core of the life  
41 and ministry of Jesus. It is a message that always bends toward inclusion. The biblical  
42 story recounts the ways in which inclusion and welcome to God's community is ever-  
43 expanding – from the story of Abraham and Sarah, to the inclusive ministry of Jesus, to  
44 the baptism of Cornelius, to the missionary journeys of Paul throughout the Greco-  
45 Roman world. The liberating work of the Spirit as witnessed in the activities of Jesus'  
46 ministry has been to address the situations and structures of exclusion, injustice and  
47 oppression that diminish God's people and keep them from realizing the full gift of  
48 human personhood in the context of human communion.  
49

50 The biblical call to justice and compassion (to love one's neighbor as one's self)  
51 provides the mandate for marriage equality. Justice as right relationship seeks both  
52 personal and communal well being. It is embodied in interpersonal relationships and  
53 institutional structures, including marriage. Justice seeks to eliminate marginalization for  
54 reasons of race, gender, sexual orientation or economic status.  
55

56 The language of covenant is central to the message of scripture concerning  
57 relationships and community. Both in the message of the prophets and the teachings of  
58 Jesus, covenant relationships are important, taken seriously by God and are to be taken  
59 seriously by God's people. The overriding message of the Gospel is that God calls God's  
60 people to live fully the gift of love in responsible, faithful, just, committed, covenantal  
61 relationships of trust that recognize and respect the image of God in all people. These  
62 Gospel values are at the core of the covenantal relationship that we call marriage.  
63

64 It is essential to note that the Gospel values of covenant do not come from the  
65 practices of marriage, which change and evolve throughout the history of the biblical  
66 story. Indeed, it is not possible to rely exclusively on scripture for understanding  
67 marriage today. For example, biblical texts that encourage celibacy, forbid divorce, or  
68 require women to be subservient to their husbands are not considered to be authoritative  
69 because they are primarily expressions of the cultural norms of the ancient Middle East.  
70 At the same time, there are also many biblical models for blessed relationships beyond  
71 one man and one woman. Indeed, scripture neither commends a single marriage model  
72 nor commands all to marry, but rather calls for love and justice in all relationships.  
73

74 We recognize and affirm that the covenantal values that are essential to the  
75 Gospel are central to how we understand marriage in this time. We also recognize and  
76 affirm that all humans are made in the image and likeness of God, including people of all  
77 sexual orientations, and God has bestowed upon each one the gift of human sexuality.  
78 Further, we recognize and affirm that, as created in God's image and gifted by God with  
79 human sexuality, all people have the right to lead lives that express love, justice,  
80 mutuality, commitment, consent and pleasure.  
81

82 Is God still speaking about marriage? The overwhelming testimonies of countless  
83 couples, regardless of gender, throughout the United Church of Christ, and beyond, say,  
84 “Yes, God is still speaking.” Couples who have chosen to exchange covenantal vows  
85 attest to the blessing of God’s abundance and life-giving power in their relationships.  
86 Through their committed relationships, many throughout the church – parents, siblings,  
87 children, friends and others – have witnessed the liberation of the gifts of God for service  
88 in the world.

89  
90 Therefore, theologically and biblically, there is neither justification for denying  
91 any couple, regardless of gender, the blessings of the church nor for denying equal  
92 protection under the law in the granting of a civil marriage license, recognized and  
93 respected by all civil entities.

94  
95 **The Resolution**

96  
97 **WHEREAS** the Bible affirms and celebrates human expressions of love and partnership,  
98 calling us to live out fully that gift of God in responsible, faithful, committed  
99 relationships that recognize and respect the image of God in all people; and

100  
101 **WHEREAS** the life and example of Jesus of Nazareth provides a model of radically  
102 inclusive love and abundant welcome for all; and

103  
104 **WHEREAS** we proclaim ourselves to be listening to the voice of a Still Speaking God at  
105 that at all times in human history there is always yet more light and truth to break forth  
106 from God’s holy word; and

107  
108 **WHEREAS** many UCC pastors and congregations have held commitment services for  
109 gay and lesbian couples for some time, consistent with the call to loving, long-term  
110 committed relationships and to nurture family life; and

111  
112 **WHEREAS** recognition of marriage carries with it significant access to institutional  
113 support, rights and benefits; and

114  
115 **WHEREAS** children of families headed by same-gender couples should receive all legal  
116 rights and protections; and

117  
118 **WHEREAS** legislation to ban recognition of same-gender marriages further undermine  
119 the civil liberties of gay and lesbian couples and contributes to a climate of  
120 misunderstanding and polarization, increasing hostility against gays and lesbians; and

121  
122 **WHEREAS** a Constitutional Amendment has been introduced to this Congress to limit  
123 marriage to “only the union of a man and a woman”; and

124  
125 **WHEREAS** equal marriage rights for couples regardless of gender is an issue deserving  
126 of serious, faithful discussion by people of faith, taking into consideration the long,

127 complex history of marriage and family life, layered as it is with cultural practices,  
128 economic realities, political dynamics, religious history and biblical interpretation;

129

130 **AND**

131

132 **WHEREAS** the Tenth General Synod pronounced that all person are entitled to full civil  
133 liberties and equal protection under the law without discrimination related to sexual  
134 preference; and

135

136 **WHEREAS** the Eleventh General Synod urged that States should legislatively recognize  
137 that traditional marriage is not the only stable living unit entitled to legal protection; and

138

139 **WHEREAS** the Nineteenth General Synod called on the church for greater leadership to  
140 end discrimination against gays and lesbians; and

141

142 **WHEREAS** the Executive Council of the United Church of Christ in April, 2004 called  
143 the church to action and dialogue on marriage;

144

145 **THEREFORE LET IT BE RESOLVED**, that the Twenty-fifth General Synod of the  
146 United Church of Christ affirms equal marriage rights for couples regardless of gender  
147 and declares that the government should not interfere with couples regardless of gender  
148 who choose to marry and share fully and equally in the rights, responsibilities and  
149 commitment of legally recognized marriage; and

150

151 **LET IT BE FURTHER RESOLVED**, that the Twenty-fifth General Synod of the  
152 United Church of Christ affirms equal access to the basic rights, institutional protections  
153 and quality of life conferred by the recognition of marriage; and

154

155 **LET IT BE FURTHER RESOLVED**, that the Twenty-fifth General Synod calls for an  
156 end to rhetoric that fuels hostility, misunderstanding, fear and hatred expressed toward  
157 gay, lesbian, bisexual and transgender persons; and

158

159 **LET IT BE FURTHER RESOLVED**, that the Officers of the United Church of Christ  
160 are called upon to communicate this resolution to local, state and national legislators,  
161 urging them to support equal marriage rights for couples regardless of gender.

162

163 In recognition that these resolutions may not reflect the views or current understanding of  
164 all bodies, and acknowledging the pain and struggle their passage will engender within  
165 the gathered church, the General Synod encourages the following:

166

167 **LET IT BE FURTHER RESOLVED**, that the Twenty -fifth General Synod calls upon  
168 all settings of the United Church of Christ to engage in serious, respectful, and prayerful  
169 discussion of the covenantal relationship of marriage and equal marriage rights for  
170 couples regardless of gender, using the "God is still speaking, about Marriage" study and  
171 discussion guide produced by Wider Church Ministries of the United Church of Christ  
172 (available online at UCC.org); and

173

174

**LET IT BE FURTHER RESOLVED**, that the Twenty-fifth General Synod calls upon congregations, after prayerful biblical, theological, and historical study, to consider adopting Wedding Policies that do not discriminate against couples based on gender; and

177

178

**LET IT BE FINALLY RESOLVED**, that the Twenty-fifth General Synod urges the congregations and individuals of the United Church of Christ to prayerfully consider and support local, state and national legislation to grant equal marriage rights to couples regardless of gender, and to work against legislation, including constitutional amendments, which denies civil marriage rights to couples based on gender.

183

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185

186

Funding for the implementation of this Resolution will be made in accordance with the overall mandates of the affected agencies and the funds available.

187

188

# THE ALLIANCE OF BAPTISTS

A clear voice for Christian freedom, distinctly Baptist  
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## Statement on Same Sex Marriage

April 17, 2004

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Affirming that our federal and state constitutions exist to protect the rights of minorities from the tyranny of the majority and in the context of the current debate over same-sex marriage, we of the Alliance of Baptists decry the politicization of same-sex marriage in the current presidential contest and other races for public office. We specifically reject the proposed amendments to the constitution of the United States and state constitutions that would enshrine discrimination against sexual minorities and define marriage in such a way as to deny same-sex couples a legal framework in which to provide for one another and those entrusted to their care.

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As Christians and as Baptists, we particularly lament the denigration of our gay, lesbian, bisexual, and transgender sisters and brothers in this debate by those who claim to speak for God. We affirm that the Alliance of Baptists supports the rights of all citizens to full marriage equality, and we affirm anew that the Alliance will "create places of refuge and renewal for those who are ignored by the church."

*This Statement of Concern was adopted at the Annual Meeting of the Alliance of Baptists meeting at First Baptist Church in Dayton, Ohio.*

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*Reconciling Ministries Network is a national grassroots organization that exists to ensure full participation of people of all sexual orientations and gender identities in the life of the United Methodist Church, both in policy and practice.*

**-RMN Mission Statement**

**DEVOTION**

*weekly*

**FLASHNET**

*weekly e-digest*

**KATALYST**

*quarterly newsletter*

## UNITED METHODIST CLERGYWOMEN DEMAND FULL INCLUSION OF LGBT PERSONS IN CHURCH



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(Chicago, Illinois) United Methodist clergywomen from around the world are in Chicago this week through Thursday, to celebrate 50 years of full clergy rights for women at the 2006 International United Methodist Clergywomen's Consultation. Following the spirited sermon of retired Bishop Judith Craig on Monday, those in the audience were painfully aware of the continued knocking of lesbian, gay, bisexual and transgender (LGBT) persons on the closed doors of the church.

Bishop Craig preached on Luke 18:1-8, a story about a widow who kept knocking on a judge's door until justice was given her. Bishop Craig likened the early pioneers in women's ordination movement to the widow, as they kept knocking on the doors of the church until women were given full ordination rights in 1956. She noted that persons sometimes knock until their knuckles are bloody to finally bring about change.

As consultation participants gathered for this morning's session, they passed by clergywomen knocking on doors. Available for signing was a "Bloody Knuckle Petition" which asked signers to covenant to take the following actions:

- Educate ourselves and our congregation about the issues affecting LGBT persons
- Pray communally and privately for LGBT people who are wounded and excluded by the church's sin of homophobia

color. The event was historic because it represented the first gathering across racial and ethnic lines for the purpose of engaging the subject of heterosexism and homophobia in Christianity and the United Methodist Church -- the thorniest issue facing the church. These dialogues on the common grounds of inclusivity and diversity culminated in a statement entitled United Methodists of Color For An Inclusive Church. In the following months, the statement was widely distributed and supported by United Methodists of Color throughout the United States and the Philippines.

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# Resolution 2005-2

## Oppose Constitutional Amendments Banning Same-Sex Marriages

Submitted by:

The Rev. Beatrice M. Billups  
The Rev. James R. Crowder  
The Rev. Frank E. Fortkamp  
Christina Harris  
The Rev. Eleanor Holland  
The Rev. Alice Jellema  
The Rev. T. Stewart Lucas  
The Rev. Martha Macgill  
Louise E. Miller  
The Rev. Ronald H. Miller  
The Rev. Dr. Victoria R. Sirota  
The Rev. Scott Slater  
The Rev. P. Kingsley Smith  
The Rev. Lee Ann Tolzmann  
The Rev. Kathryn A. Wajda  
The Rev. Lauren M. Welch  
The Rev. Tammy Wooliver

RESOLVED, that the Episcopal Diocese of Maryland, meeting in Convention May 6-7, 2005, opposes any amendment to the Constitution of the United States or the Maryland State Constitution which would prohibit civil marriage or unions between persons of the same sex.

AND BE IT FURTHER RESOLVED, that the Secretary of Convention is directed to communicate this resolution to the members of the Maryland House of Delegates, Maryland Senate, and to the United States Senators from Maryland as well as the Maryland delegation to the U.S. House of Representatives.

### Explanation

There have been a number of proposals to amend the U.S. and Maryland State constitutions for the purpose of prohibiting marriage and/or civil unions between persons of the same sex, including Maryland House Bill 1220. These attempts to modify the federal and state constitutions would create new discriminatory barriers to gay and lesbian persons who desire equality in taxation, child custody, personal finances, and the right to make health care decisions for elderly or sick partners. They also would obstruct the progress being made by some jurisdictions where new understandings of civil marriage are evolving. In Massachusetts, Vermont, Canada, and several western European countries, a legal bond between committed, life-long, monogamous couples is recognized by the state for purposes of taxation, property ownership, inheritance, parental rights, and health care. The proposed constitutional amendments close the door on such solutions and encumber future leaders with a discriminatory provision that would be difficult to change. The blessing of marriages as religious sacraments is performed separately by the church and is not required or suggested by this resolution.

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# Resolution 2005-3

## Support Legislation Providing Benefits to Same Sex Couples

Submitted by:

The Rev. Beatrice M. Billups  
The Rev. James R. Crowder  
The Rev. Frank E. Fortkamp  
Christina Harris  
The Rev. Eleanor Holland  
The Rev. Alice Jellema  
The Rev. T. Stewart Lucas  
The Rev. Martha Macgill  
Louise E. Miller  
The Rev. Ronald H. Miller  
The Rev. Dr. Victoria R. Sirota  
The Rev. Scott Slater  
The Rev. P. Kingsley Smith  
The Rev. Lee Ann Tolzmann  
The Rev. Kathryn A. Wajda  
The Rev. Lauren M. Welch  
The Rev. Tammy Wooliver

RESOLVED, the Episcopal Diocese of Maryland, meeting in Convention May 6-7, 2005, supports efforts to provide basic benefits to same-sex couples, including but not limited to full privileges of joint ownership of real property, inheritance without discriminatory treatment in tax law, equal child custody and visitation privileges, the ability to make hospital visits with an incapacitated partner as well as the authority to make decisions regarding medical treatment and the disposition of bodily remains,

AND BE IT FURTHER RESOLVED, that the Secretary of Convention is directed to communicate this resolution to the members of the Maryland House of Delegates, Maryland Senate, the Governor of Maryland, and to the United States Senators from Maryland as well as the Maryland delegation to the U.S. House of Representatives.

### Explanation

The 1994 Resolution D-006 reads "Resolved, the House of Bishops concurring, That the 71st General Convention call upon municipal council, state legislatures and the United States Congress to approve measures giving gay and lesbian couples protection[s] such as: bereavement and family leave policies; health benefits, pension benefits; real-estate transfer tax benefits, and commitments to mutual support enjoyed by non-gay married couples."

Because same-sex couples are currently excluded from civil marriage under the laws of the State of Maryland and the federal Defense of Marriage Act, numerous discriminatory barriers exist that exclude such couples from basic civil rights including the right to make health care decisions for a sick partner, the right to visit a partner in a health care facility, and the right to inherit property and make funeral arrangements when a partner dies.

Several attempts have been made in the Maryland General Assembly to remove these barriers from the law,

including the Basic Human Rights Act of 2005 and the Medical Decision Making Act of 2005. The Episcopal Diocese of Maryland should support these pieces of legislation and others like them as a witness to our commitment to “strive for justice and peace for all people and respect the dignity of every human being.” (BCP, p. 305)

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# Resolution 2005-4

## Prohibit Discrimination based on Gender Identity or Expression

Submitted by:

The Rev. Beatrice M. Billups

The Rev. James R. Crowder

The Rev. Frank E. Fortkamp

Christina Harris

The Rev. Eleanor Holland

The Rev. Alice Jellema

The Rev. T. Stewart Lucas

The Rev. Martha Macgill

Louise E. Miller

The Rev. Ronald H. Miller

The Rev. Dr. Victoria R. Sirota

The Rev. Scott Slater

The Rev. P. Kingsley Smith

The Rev. Lee Ann Tolzmann

The Rev. Kathryn A. Wajda

The Rev. Lauren M. Welch

The Rev. Tammy Wooliver

RESOLVED, that the Episcopal Diocese of Maryland, meeting in Convention May 6-7, 2005, opposes discrimination on the basis of gender identity or expression as well as sexual orientation.

AND BE IT FURTHER RESOLVED, that the Secretary of Convention be directed to communicate this resolution to the members of the Maryland House of Delegates, Maryland Senate, and to the United States Senators from Maryland as well as the Maryland delegation to the U.S. House of Representatives.

### Explanation

In our Baptismal Covenant, we promise to strive for justice and peace among all people, and to respect the dignity of every human being. It has long been the policy of the Diocese of Maryland to oppose discrimination in all its forms. This resolution reaffirms and expands the scope of our commitment to inclusion, equality, and non-discrimination toward individuals and groups that have often been devalued and disregarded.

This resolution expands the 2000 Resolution D009 which reads:

“Resolved, That the 73rd General Convention of the Episcopal Church condemn all acts motivated by hate against any individual or group of persons as totally opposed to the Gospel of Jesus Christ; and be it further

“Resolved, That this convention direct the national office of the Episcopal Church to continue and increase the 'Stop the Hate' campaign, including making available congregational resources for promoting discussion and taking action against incidents of hate motivated by political or religious creed, race, color, ethnic or national origin, marital status, gender, sexual orientation, disabilities, or age; and be it further

“Resolved, That this Convention urge its members to support the passage of local, state, and national hate

crimes legislation which includes any of the above categories among its protected designations.”

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# Resolution 2005-5

## Establish a Task Force to Study and Recommend Appropriate Pastoral Responses to Couples Living in Relationships Other than Marriage

Submitted by:

The Rev. Beatrice M. Billups

The Rev. James R. Crowder

The Rev. Frank E. Fortkamp

Christina Harris

The Rev. Eleanor Holland

The Rev. Alice Jellema

The Rev. Mary Jayne Ledgerwood

The Rev. T. Stewart Lucas

The Rev. Martha Macgill

Louise E. Miller

The Rev. Ronald H. Miller

The Rev. Dr. Victoria R. Sirota

The Rev. Scott Slater

The Rev. P. Kingsley Smith

The Rev. Lee Ann Tolzmann

The Rev. Kathryn A. Wajda

The Rev. Lauren M. Welch

The Rev. Tammy Wooliver

RESOLVED, that the Episcopal Diocese of Maryland, meeting in Convention May 6-7, 2005, requests the Bishop of Maryland to appoint a task force of lay and clerical members to study issues of marriage, unions, and civil rights; to create a collection of resources and a study guide suitable for use in parishes to further conversation about appropriate Christian responses to questions about who should have access to civil marriage or unions; and to recommend appropriate pastoral responses to couples regardless of sexual orientation living in committed relationships other than marriage. The task force should report its findings at the 2006 Annual Convention of this diocese.

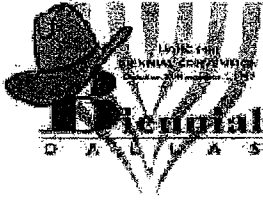
AND BE IT FURTHER RESOLVED, that the task force appointed should reflect the diversity of the diocese with respect to age, race, order of ministry, marital status, sexual orientation and the diversity of opinion surrounding these issues.

### Explanation

The 74th General Convention, meeting in Minneapolis, passed resolution C051 which stated, in part, "That we commit ourselves, and call our church, in the spirit of Resolution A104 of the 70th General Convention (1991), to continued prayer, study, and discernment on the pastoral care for gay and lesbian persons, to include the compilation and development by a special commission organized and appointed by the Presiding Bishop of resources to facilitate as wide a conversation of discernment as possible throughout the church."

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**UAHC**  
**64th Biennial Convention**  
*Dallas - October 29-November 2, 1997*

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Adopted by the General Assembly  
Union of American Hebrew Congregations  
October 29-November 2, 1997 Dallas

**Civil Marriage for Gay and Lesbian Jewish Couples**

**Background**

In 1987, the Union of American Hebrew Congregations (UAHC) reaffirmed its commitment to welcoming gay and lesbian Jews into its congregations and encouraging their participation in all aspects of synagogue and communal life. In 1993, Rabbi Alexander M. Schindler, President of the UAHC, called upon the Reform movement to support the right of gay and lesbian couples to adopt children, to file joint income-tax returns, and to share in health and death benefits provided to heterosexual couples by federal, state, and local governments and by both large and small corporations. Following Rabbi Schindler's call, the UAHC, in 1993, resolved that full equality under the law for gay men and lesbians requires legal recognition of monogamous domestic gay and lesbian relationships.

In 1990, the Central Conference of American Rabbis (CCAR) adopted a position paper encouraging rabbis and congregations to treat with respect and to integrate fully all Jews into the life of the community regardless of sexual orientation and acknowledging the need for continuing discussion regarding the religious status of monogamous domestic relationships between gay men or lesbians and the creation of special ceremonies. In April 1996, the CCAR adopted a resolution supporting the right of gay and lesbian couples to share fully and equally in the benefits of civil marriage.

In addition, the Canadian Council for Reform Judaism (CCRJ) has supported the extension of spousal benefits to same-sex partners in relationships which would be deemed "common law" marriages if the partners were heterosexual. The CCRJ also supported the 1996 amendments to the Canada *Human Rights Act* to add "sexual orientation" as a prohibited ground for discrimination.

In the years since first the UAHC and subsequently the CCAR gave their support for full equality for gay men and lesbians in congregational life, gay men and lesbians have increasingly come forward to participate in the life of Reform Judaism on national, regional, and local levels. No less than heterosexual couples, gay men or lesbians living in monogamous domestic relationships have demonstrated, like their counterparts, love for one another, compassion for the sick, and grief for the dead.

The UAHC has for decades provided moral leadership to the Jewish community and to our nation, recognizing our differences and diversity, but acknowledging that we are but one family, equal before God. In this spirit, the UAHC must now move more forcefully to support the monogamous domestic relationships of gay men and lesbians.

Legal recognition of monogamous domestic gay and lesbian relationships and congregational honoring of these couples will together provide these men and women and their families with dignity and self esteem.

In 1993, the UAHC General Assembly resolution called for recognition for Lesbian and Gay relationships: A) by governmental legislation as to participation in health plans and survivor benefits, as to fitness to raise children, and as to legal acknowledgment of the relationship; and B) by congregations and institutions of the Reform movement to extend benefits to partners of staff members and employees.

A separate secular movement is proceeding to recognize these monogamous domestic relationships judicially and statutorily and to grant to gay and lesbian couples nondiscriminatory economic, legal, and social rights equal to those under law enjoyed by monogamous heterosexual couples.

THEREFORE, the Union of American Hebrew Congregations resolves to:

1. Support secular efforts to promote legislation which would provide through civil marriage equal opportunity for gay men and lesbians;
2. Encourage its constituent congregations to honor monogamous domestic relationships formed by gay men or lesbians; and
3. Support the efforts of the CCAR in its ongoing work as it studies the appropriateness of religious ceremonies for use in a celebration of commitment recognizing a monogamous domestic relationship between two Jewish gay men or two Jewish lesbians.



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Most recent update 19 Nov 1997



**Resolution Adopted by the CCAR**

**ON GAY AND LESBIAN MARRIAGE**

**Adopted by the 107th Annual Convention of the  
Central Conference of American Rabbis  
March, 1996**

**Background:**

Consistent with our Jewish commitment to the fundamental principle that we are all created in the divine image, the Reform Movement has "been in the vanguard of the support for the full recognition of equality for lesbians and gays in society." In 1977, the CCAR adopted a resolution encouraging legislation which decriminalizes homosexual acts between consenting adults, and prohibits discrimination against them as persons, followed by its adoption in 1990 of a substantial position paper on homosexuality and the rabbinate. Then, in 1993, the Union of American Hebrew Congregations observed that "committed lesbian and gay couples are denied the benefits routinely accorded to married heterosexual couples." The UAHC resolved full equality under the law for lesbian and gay people requires legal recognition of lesbian and gay relationships.

In light of this background,

BE IT RESOLVED, that the Central Conference of American Rabbis support the right of gay and lesbian couples to share fully and equally in the rights of civil marriage, and

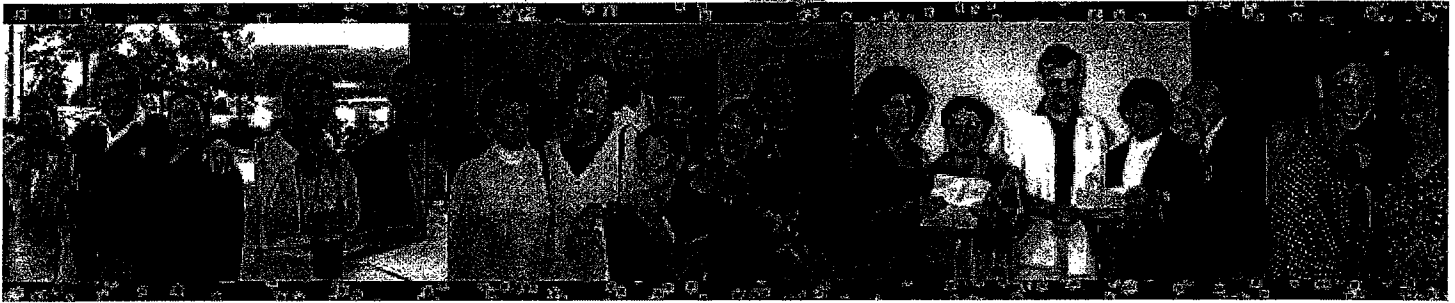
BE IT FURTHER RESOLVED, that the CCAR oppose governmental efforts to ban gay and lesbian marriage.

BE IT FURTHER RESOLVED, that this is a matter of civil law, and is separate from the question of rabbinic officiation at such marriages.



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355 Lexington Avenue | New York, NY 10017 | (212) 972-3636 | [info@ccarnet.org](mailto:info@ccarnet.org)

For questions or comments about this site email the webmaster: [webmaster@ccarnet.org](mailto:webmaster@ccarnet.org)



## • SOCIAL ACTION RESOLUTIONS Same-Sex Marriages



The Social Action Committee of the Congress of Secular Jewish Organizations, CSJO, consisting of affiliate groups in the United States and Canada affirms its support for legal recognition of same-sex marriages. We call for an end to all forms of discrimination based on sexual orientation or gender identity and for the repeal of the Defense of Marriage Act.

We join other progressive movements in Jewish life at the forefront of the three decade long struggle to affirm gay and lesbian (and bisexual and transgendered) identities and affirmatively seek to support gay and lesbian Jews in our institutions and communities. This solidarity is based on our own historical experience as abused outsiders; as conversos or hidden Jews, forced into a closet to preserve our lives; as a people who saw gay men wearing the pink triangle and suffering persecution in Nazi concentration camps. Our history reinforces our moral imperative to offer our solidarity to minorities subjected to discrimination and violence.

As Secular and Cultural Jews, we are particularly aware of the hypocrisy of religiously-based opposition to same-sex marriages. Those who quote the book of Leviticus to condemn homosexuality are playing a game of highly selective religious observance, insofar as there are scores of other prohibitions and punishments in Leviticus that they ignore. We therefore urge religious activists in the Jewish community and beyond, to find within their traditions the teachings of tolerance and acceptance and counterpose these to the dehumanizing preachings of the religious right.

Fear and hatred of homosexuals is, thankfully, diminishing in American life as we expand our notion of who is entitled to basic human rights. The American psychiatric establishment removed homosexuality from its list of mental disorders in 1973. The Supreme Court decriminalized gay sex by rejecting as unconstitutional all state sodomy laws in 2003.

And while it is part of the democratic process to mobilize religious principles in support of, or opposition to, government policies, the right of all people to seek "life, liberty and the pursuit of happiness" – not Leviticus 20:13 or any other biblical passage - is what we hold sacred as Americans. We are confident, therefore, that we will see the right of gay and lesbian Americans to marry their beloved ones established soon and in our own time, just as we saw the right of interracial couples to marry established in the last generation. We pledge ourselves to participate in the struggle to bring about this fulfillment of the U.S. Constitution.

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